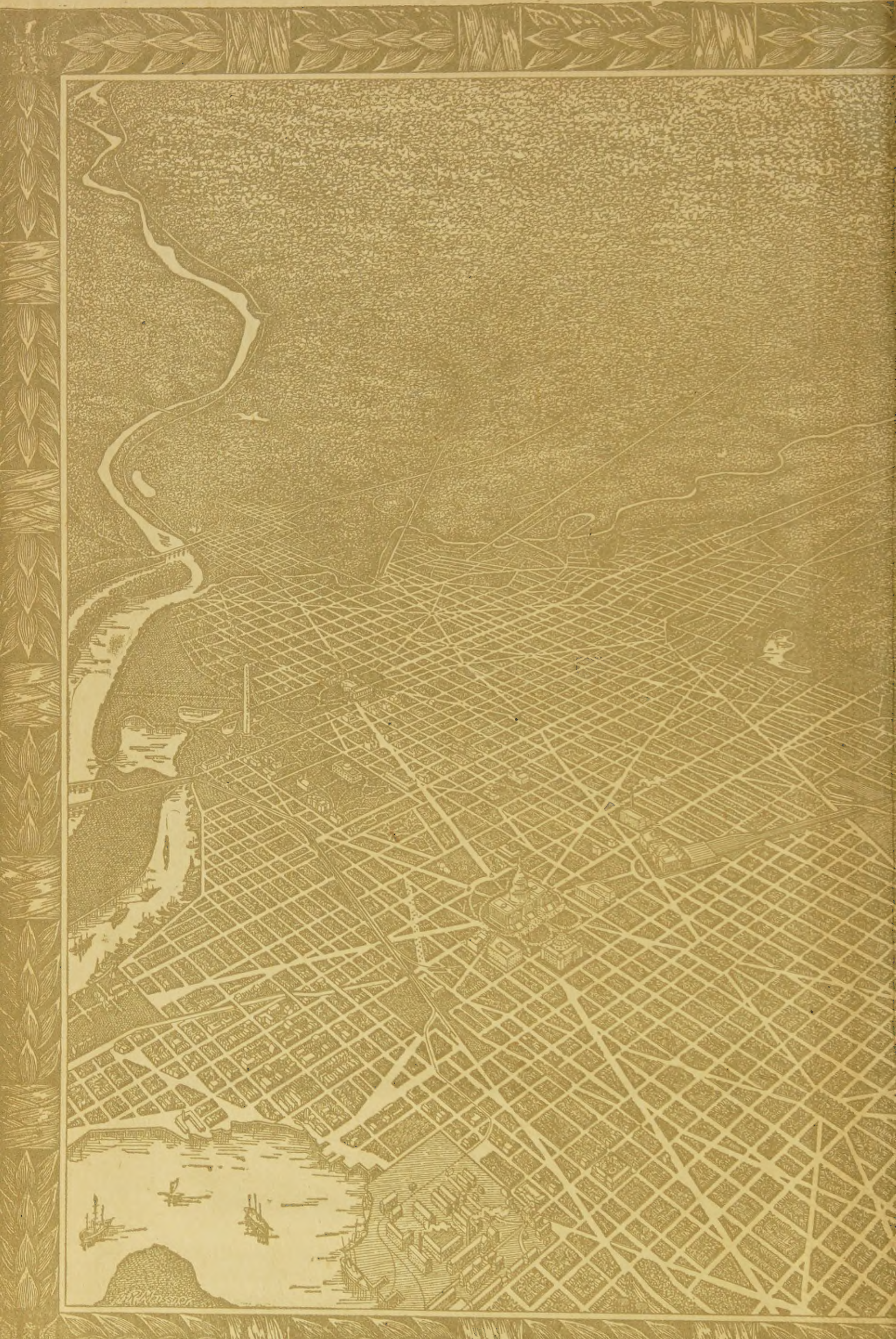
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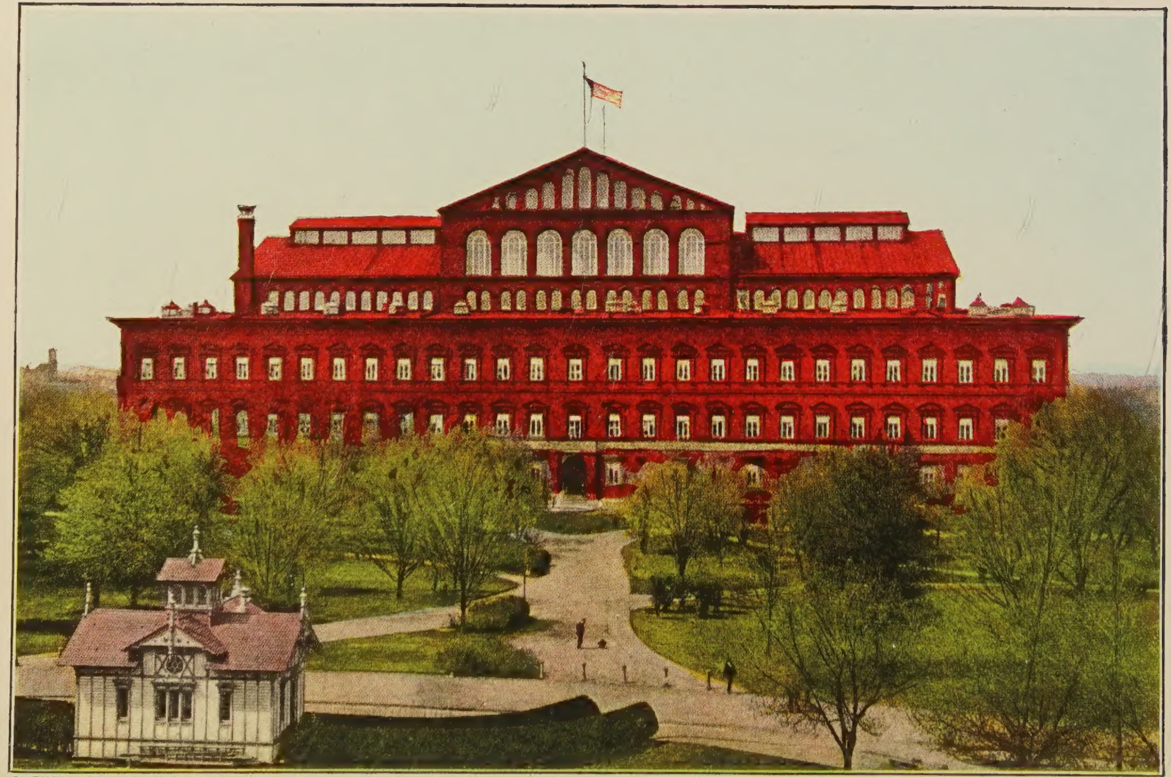

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Pension Office

A COMPILATION
OF THE

MESSAGES AND PAPERS
OF THE
PRESIDENTS

Prepared Under the Direction of the Joint Committee
on Printing, of the House and Senate,
Pursuant to an Act of the Fifty-Second Congress
of the United States

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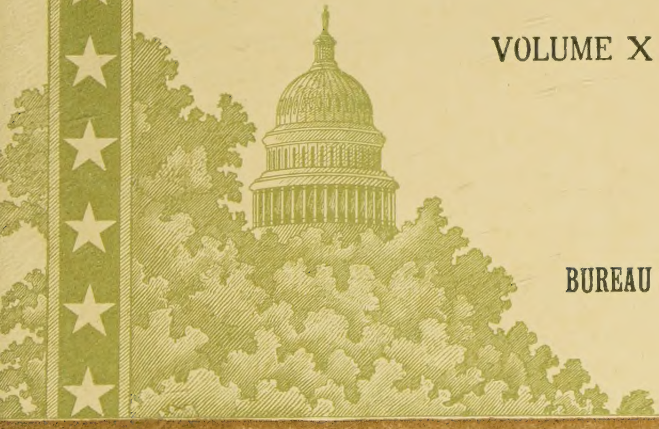

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influence and favoritism. If it is the right of the worthiest claimant to gain the appointment and the interest of the people to bestow it upon him, it would seem clear that a wise and just method of ascertaining personal fitness for office must be an important and permanent function of every just and wise government. It has long since become impossible in the great offices for those having the duty of nomination and appointment to personally examine into the individual qualifications of more than a small proportion of those seeking office, and with the enlargement of the civil service that proportion must continue to become less.

In the earlier years of the Government the subordinate offices were so few in number that it was quite easy for those making appointments and promotions to personally ascertain the merits of candidates. Party managers and methods had not then become powerful agencies of coercion, hostile to the free and just exercise of the appointing power.

A large and responsible part of the duty of restoring the civil service to the desired purity and efficiency rests upon the President, and it is my purpose to do what is within my power to advance such prudent and gradual measures of reform as will most surely and rapidly bring about that radical change of system essential to make our administrative methods satisfactory to a free and intelligent people. By a proper exercise of authority it is in the power of the Executive to do much to promote such a reform. But it can not be too clearly understood that nothing adequate can be accomplished without cooperation on the part of Congress and considerate and intelligent support among the people. Reforms which challenge the generally accepted theories of parties and demand changes in the methods of Departments are not the work of a day. Their permanent foundations must be laid in sound principles and in an experience which demonstrates their wisdom and exposes the errors of their adversaries. Every worthy officer desires to make his official action a gain and an honor to his country; but the people themselves, far more than their officers in public station, are interested in a pure, economical, and vigorous administration.

By laws enacted in 1853 and 1855, and now in substance incorporated in the Revised Statutes, the practice of arbitrary appointments to the several subordinate grades in the great Departments was condemned, and examinations as to capacity, to be conducted by departmental boards of examiners, were provided for and made conditions of admission to the public service. These statutes are a decision by Congress that examinations of some sort as to attainments and capacity are essential to the well-being of the public service. The important questions since the enactment of these laws have been as to the character of these examinations, and whether official favor and partisan influence or common right and merit were to control the access to the examinations. In practice these examinations have not always been open to worthy persons generally who might wish to be examined. Official favoritism and partisan influence, as a rule, appear to have designated those who alone were permitted to go before the examining boards, subjecting even the examiners to a pressure from the friends of the candidates very difficult to resist. As a consequence the standard of admission fell below that which the public interest demanded. It was also almost inevitable that a system which provided for various separate boards of examiners, with no common supervision or uniform method of procedure, should result in confusion, inconsistency, and inadequate tests of capacity, highly detrimental to the public interest. A further and more radical change was obviously required.

In the annual message of December, 1870, my predecessor declared that—

> There is no duty which so much embarrasses the Executive and heads of Departments as that of appointments, nor is there any such arduous and thankless labor imposed on Senators and Representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men, for public place. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States.

Congress accordingly passed the act approved March 3, 1871, "to regulate the civil service of the United States and promote the efficiency thereof," giving the necessary authority to the Executive to inaugurate a civil-service reform.

Acting under this statute, which was interpreted as intended to secure a system of just and effectual examinations under uniform supervision, a number of eminently competent persons were selected for the purpose, who entered with zeal upon the discharge of their duties, prepared with an intelligent appreciation of the requirements of the service the regulations contemplated, and took charge of the examinations, and who in their capacity as a board have been known as the "Civil Service Commission." Congress for two years appropriated the money needed for the compensation and for the expense of carrying on the work of the Commission.

It appears from the report of the Commission submitted to the President in April, 1874, that examinations had been held in various sections of the country, and that an appropriation of about $25,000 would be required to meet the annual expenses, including salaries, involved in discharging the duties of the Commission. The report was transmitted to Congress by special message of April 18, 1874, with the following favorable comment upon the labors of the Commission:

> If sustained by Congress, I have no doubt the rules can, after the experience gained, be so improved and enforced as to still more materially benefit the public service and relieve the Executive, members of Congress, and the heads of Departments from influences prejudicial to good administration. The rules, as they have hitherto been enforced, have resulted beneficially, as is shown by the opinions of the members of the Cabinet and their subordinates in the Departments, and in that opinion I concur.

And in the annual message of December of the same year similar views are expressed and an appropriation for continuing the work of the Commission again advised.

The appropriation was not made, and as a consequence the active work of the Commission was suspended, leaving the Commission itself still in existence. Without the means, therefore, of causing qualifications to be tested in any systematic manner or of securing for the public service the advantages of competition upon any extensive plan, I recommended in my annual message of December, 1877, the making of an appropriation for the resumption of the work of the Commission.

In the meantime, however, competitive examinations, under many embarrassments, have been conducted within limited spheres in the Executive Departments in Washington and in a number of the custom-houses and post-offices of the principal cities of the country, with a view to further test their effects, and in every instance they have been found to be as salutary as they are stated to have been under the Administration of my predecessor. I think the economy, purity, and efficiency of the public service would be greatly promoted by their systematic introduction, wherever practicable, throughout the entire civil service of the Government, together with ample provision for their general supervision in order to secure consistency and uniform justice.

Reports from the Secretary of the Interior, from the Postmaster-General, from the postmaster in the city of New York, where such examinations have been some time on trial, and also from the collector of the port, the naval officer, and the surveyor in that city, and from the postmasters and collectors in several of the other large cities, show that the competitive system, where applied, has in various ways contributed to improve the public service.

The reports show that the results have been salutary in a marked degree, and that the general application of similar rules can not fail to be of decided benefit to the service.

The reports of the Government officers, in the city of New York especially, bear decided testimony to the utility of open competitive examinations in their respective offices, showing that—

> These examinations and the excellent qualifications of those admitted to the service through them have had a marked incidental effect upon the persons previously in the service, and particularly upon those aspiring to promotion. There has been on the part of these latter an increased interest in the work and a desire to extend acquaintance with it beyond the particular desk occupied, and thus the morale of the entire force has been raised. * * * The examinations have been attended by many citizens, who have had an opportunity to thoroughly investigate the scope and character of the tests and the method of determining the results, and those visitors have without exception approved the methods employed, and several of them have publicly attested their favorable opinion.

Upon such considerations I deem it my duty to renew the recommendation contained in my annual message of December, 1877, requesting Congress to make the necessary appropriation for the resumption of the work of the Civil Service Commission. Economy will be promoted by authorizing a moderate compensation to persons in the public service who may perform extra labor upon or under the Commission, as the Executive may direct.

I am convinced that if a just and adequate test of merit is enforced for admission to the public service and in making promotions such abuses as removals without good cause and partisan and official interference with the proper exercise of the appointing power will in large measure disappear.

There are other administrative abuses to which the attention of Congress should be asked in this connection. Mere partisan appointments and the constant peril of removal without cause very naturally lead to an absorbing and mischievous political activity on the part of those thus appointed, which not only interferes with the due discharge of official duty, but is incompatible with the freedom of elections. Not without warrant in the views of several of my predecessors in the Presidential office, and directly within the law of 1871, already cited, I endeavored, by regulation made on the 22d day of June, 1877, to put some reasonable limits to such abuses. It may not be easy, and it may never perhaps be necessary, to define with precision the proper limit of political action on the part of Federal officers. But while their right to hold and freely express their opinions can not be questioned, it is very plain that they should neither be allowed to devote to other subjects the time needed for the proper discharge of their official duties nor to use the authority of their office to enforce their own opinions or to coerce the political action of those who hold different opinions.

Reasons of justice and public policy quite analogous to those which forbid the use of official power for the oppression of the private citizen impose upon the Government the duty of protecting its officers and agents from arbitrary exactions. In whatever aspect considered, the practice of making levies for party purposes upon the salaries of officers is highly demoralizing to the public service and discreditable to the country. Though an officer should be as free as any other citizen to give his own money in aid of his opinions or his party, he should also be as free as any other citizen to refuse to make such gifts. If salaries are but a fair compensation for the time and labor of the officer, it is gross injustice to levy a tax upon them. If they are made excessive in order that they may bear the tax, the excess is an indirect robbery of the public funds.

I recommend, therefore, such a revision and extension of present statutes as shall secure to those in every grade of official life or public employment the protection with which a great and enlightened nation should guard those who are faithful in its service.

Our relations with foreign countries have continued peaceful.

With Great Britain there are still unsettled questions, growing out of the local laws of the maritime provinces and the action of provincial authorities deemed to be in derogation of rights secured by treaty to American fishermen. The United States minister in London has been instructed to present a demand for $105,305.02 in view of the damages received by American citizens at Fortune Bay on the 6th day of January, 1878. The subject has been taken into consideration by the British Government, and an early reply is anticipated.

Upon the completion of the necessary preliminary examinations the subject of our participation in the provincial fisheries, as regulated by treaty, will at once be brought to the attention of the British Government, with a view to an early and permanent settlement of the whole question, which was only temporarily adjusted by the treaty of Washington.

Efforts have been made to obtain the removal of restrictions found injurious to the exportation of cattle to the United Kingdom.

Some correspondence has also occurred with regard to the rescue and saving of life and property upon the Lakes, which has resulted in important modifications of the previous regulations of the Dominion government on the subject in the interest of humanity and commerce.

In accordance with the joint resolution of the last session of Congress, commissioners were appointed to represent the United States at the two international exhibitions in Australia, one of which is now in progress at Sydney, and the other to be held next year at Melbourne. A desire has been expressed by our merchants and manufacturers interested in the important and growing trade with Australia that an increased provision should be made by Congress for the representation of our industries at the Melbourne exhibition of next year, and the subject is respectfully submitted to your favorable consideration.

The assent of the Government has been given to the landing on the coast of Massachusetts of a new and independent transatlantic cable between France, by way of the French island of St. Pierre, and this country, subject to any future legislation of Congress on the subject. The conditions imposed before allowing this connection with our shores to be established are such as to secure its competition with any existing or future lines of marine cable and preclude amalgamation therewith, to provide for entire equality of rights to our Government and people with those of France in the use of the cable, and prevent any exclusive possession of the privilege as accorded by France to the disadvantage of any future cable communication between France and the United States which may be projected and accomplished by our citizens. An important reduction of the present rates of cable communication with Europe, felt to be too burdensome to the interests of our commerce, must necessarily flow from the establishment of this competing line.

The attention of Congress was drawn to the propriety of some general regulation by Congress of the whole subject of transmarine cables by my predecessor in his message of December 7, 1875, and I respectfully submit to your consideration the importance of Congressional action in the matter.

The questions of grave importance with Spain growing out of the incidents of the Cuban insurrection have been for the most part happily and honorably settled. It may reasonably be anticipated that the commission now sitting in Washington for the decision of private cases in this connection will soon be able to bring its labors to a conclusion.

The long-standing question of East Florida claims has lately been renewed as a subject of correspondence, and may possibly require Congressional action for its final disposition.

A treaty with the Netherlands with respect to consular rights and privileges similar to those with other powers has been signed and ratified, and the ratifications were exchanged on the 31st of July last. Negotiations for extradition treaties with the Netherlands and with Denmark are now in progress.

Some questions with Switzerland in regard to pauper and convict emigrants have arisen, but it is not doubted that they will be arranged upon a just and satisfactory basis. A question has also occurred with respect to an asserted claim by Swiss municipal authorities to exercise tutelage over persons and property of Swiss citizens naturalized in this country. It is possible this may require adjustment by treaty.

With the German Empire frequent questions arise in connection with the subjects of naturalization and expatriation, but the Imperial Government has constantly manifested a desire to strictly maintain and comply with all treaty stipulations in regard to them.

In consequence of the omission of Congress to provide for a diplomatic representative at Athens, the legation to Greece has been withdrawn. There is now no channel of diplomatic communication between the two countries, and the expediency of providing for one in some form is submitted to Congress.

Relations with Austria, Russia, Italy, Portugal, Turkey, and Belgium continue amicable, and marked by no incident of especial importance.

A change of the personal head of the Government of Egypt has taken place. No change, however, has occurred in the relations between Egypt and the United States. The action of the Egyptian Government in presenting to the city of New York one of the ancient obelisks, which possess such historic interest, is highly appreciated as a generous mark of international regard. If prosperity should attend the enterprise of its transportation across the Atlantic, its erection in a conspicuous position in the chief commercial city of the nation will soon be accomplished.

The treaty recently made between Japan and the United States in regard to the revision of former commercial treaties it is now believed will be followed by similar action on the part of other treaty powers. The attention of Congress is again invited to the subject of the indemnity funds received some years since from Japan and China, which, with their accumulated interest, now amount to considerable sums. If any part of these funds is justly due to American citizens, they should receive it promptly; and whatever may have been received by this Government in excess of strictly just demands should in some form be returned to the nations to whom it equitably belongs.

The Government of China has signified its willingness to consider the question of the emigration of its subjects to the United States with a dispassionate fairness and to cooperate in such measures as may tend to prevent injurious consequences to the United States. The negotiations are still proceeding, and will be pressed with diligence.

A question having arisen between China and Japan about the Lew Chew Islands, the United States Government has taken measures to inform those powers of its readiness to extend its good offices for the maintenance of peace if they shall mutually deem it desirable and find it practicable to avail themselves of the proffer.

It is a gratification to be able to announce that, through the judicious and energetic action of the military commanders of the two nations on each side of the Rio Grande, under the instructions of their respective Governments, raids and depredations have greatly decreased, and in the localities where formerly most destructive have now almost wholly ceased. In view of this result, I entertain a confident expectation that the prevalence of quiet on the border will soon become so assured as to justify a modification of the present orders to our military commanders as to crossing the border, without encouraging such disturbances as would endanger the peace of the two countries.

The third installment of the award against Mexico under the claims commission of July 4, 1868, was duly paid, and has been put in course of distribution in pursuance of the act of Congress providing for the same. This satisfactory situation between the two countries leads me to anticipate an expansion of our trade with Mexico and an increased contribution of capital and industry by our people to the development of the great resources of that country. I earnestly commend to the wisdom of Congress the provision of suitable legislation looking to this result.

Diplomatic intercourse with Colombia is again fully restored by the arrival of a minister from that country to the United States. This is especially fortunate in view of the fact that the question of an interoceanic canal has recently assumed a new and important aspect and is now under discussion with the Central American countries through whose territory the canal, by the Nicaragua route, would have to pass. It is trusted that enlightened statesmanship on their part will see that the early prosecution of such a work will largely inure to the benefit, not only of their own citizens and those of the United States, but of the commerce of the civilized world. It is not doubted that should the work be undertaken under the protective auspices of the United States, and upon satisfactory concessions for the right of way and its security by the

Central American Governments, the capital for its completion would be readily furnished from this country and Europe, which might, failing such guaranties, prove inaccessible.

Diplomatic relations with Chile have also been strengthened by the reception of a minister from that country.

The war between Peru, Bolivia, and Chile still continues. The United States have not deemed it proper to interpose in the matter further than to convey to all the Governments concerned the assurance that the friendly offices of the Government of the United States for the restoration of peace upon an honorable basis will be extended in case the belligerents shall exhibit a readiness to accept them.

Cordial relations continue with Brazil and the Argentine Republic, and trade with those countries is improving. A provision for regular and more frequent mail communication, in our own ships, between the ports of this country and the nations of South America seems to me to deserve the attention of Congress as an essential precursor of an enlargement of our commerce with them and an extension of our carrying trade.

A recent revolution in Venezuela has been followed by the establishment of a provisional government. This government has not yet been formally recognized, and it is deemed desirable to await the proposed action of the people which is expected to give it the sanction of constitutional forms.

A naval vessel has been sent to the Samoan Islands to make surveys and take possession of the privileges ceded to the United States by Samoa in the harbor of Pago-Pago. A coaling station is to be established there, which will be convenient and useful to United States vessels.

The subject of opening diplomatic relations with Roumania and Servia, now become independent sovereignties, is at present under consideration, and is the subject of diplomatic correspondence.

There is a gratifying increase of trade with nearly all European and American countries, and it is believed that with judicious action in regard to its development it can and will be still more enhanced and that American products and manufactures will find new and expanding markets. The reports of diplomatic and consular officers upon this subject, under the system now adopted, have resulted in obtaining much valuable information, which has been and will continue to be laid before Congress and the public from time to time.

The third article of the treaty with Russia of March 30, 1867, by which Alaska was ceded to the United States, provides that the inhabitants of the ceded territory, with the exception of the uncivilized native tribes, shall be admitted to the enjoyment of all the rights of citizens of the United States and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes are subject to such laws and regulations as the United States may from time to time adopt in regard to the aboriginal tribes of that country.

Both the obligations of this treaty and the necessities of the people require that some organized form of government over the Territory of Alaska be adopted.

There appears to be no law for the arrest of persons charged with common-law offenses, such as assault, robbery, and murder, and no magistrate authorized to issue or execute process in such cases. Serious difficulties have already arisen from offenses of this character, not only among the original inhabitants, but among citizens of the United States and other countries who have engaged in mining, fishing, and other business operations within the territory. A bill authorizing the appointment of justices of the peace and constables and the arrest and detention of persons charged with criminal offenses, and providing for an appeal to United States courts for the district of Oregon in suitable cases, will at a proper time be submitted to Congress.

The attention of Congress is called to the annual report of the Secretary of the Treasury on the condition of the public finances.

The ordinary revenues from all sources for the fiscal year ended June 30, 1879, were $273,827,184.46; the ordinary expenditures for the same period were $266,947,883.53, leaving a surplus revenue for the year of $6,879,300.93.

The receipts for the present fiscal year, ending June 30, 1880, actual and estimated, are as follows: Actual receipts for the first quarter, commencing July 1, 1879, $79,843,663.61; estimated receipts for the remaining three quarters of the year, $208,156,336.39; total receipts for the current fiscal year, actual and estimated, $288,000,000.

The expenditures for the same period will be, actual and estimated, as follows: For the quarter commencing July 1, 1879, actual expenditures, $91,683,385.10; and for the remaining three quarters of the year the expenditures are estimated at $172,316,614.90, making the total expenditures $264,000,000, and leaving an estimated surplus revenue for the year ending June 30, 1880, of $24,000,000. The total receipts during the next fiscal year, ending June 30, 1881, estimated according to existing laws, will be $288,000,000, and the estimated ordinary expenditures for the same period will be $278,097,364.39, leaving a surplus of $9,902,635.61 for that year.

The large amount expended for arrears of pensions during the last and the present fiscal year, amounting to $21,747,249.60, has prevented the application of the full amount required by law to the sinking fund for the current year; but these arrears having been substantially paid, it is believed that the sinking fund can hereafter be maintained without any change of existing law.

The Secretary of War reports that the War Department estimates for the fiscal year ending June 30, 1881, are $40,380,428.93, the same being for a less sum of money than any annual estimate rendered to Congress from that Department during a period of at least twelve years.

He concurs with the General of the Army in recommending such legislation as will authorize the enlistment of the full number of 25,000 men for the line of the Army, exclusive of the 3,463 men required for detached duty, and therefore not available for service in the field.

He also recommends that Congress be asked to provide by law for the disposition of a large number of abandoned military posts and reservations, which, though very valuable in themselves, have been rendered useless for military purposes by the advance of civilization and settlement.

He unites with the Quartermaster-General in recommending that an appropriation be made for the construction of a cheap and perfectly fireproof building for the safe storage of a vast amount of money accounts, vouchers, claims, and other valuable records now in the Quartermaster-General's Office, and exposed to great risk of total destruction by fire.

He also recommends, in conformity with the views of the Judge-Advocate-General, some declaratory legislation in reference to the military statute of limitations as applied to the crime of desertion.

In these several recommendations I concur.

The Secretary of War further reports that the work for the improvement of the South Pass of the Mississippi River, under contract with Mr. James B. Eads, made in pursuance of an act of Congress, has been prosecuted during the past year with a greater measure of success in the attainment of results than during any previous year. The channel through the South Pass, which at the beginning of operations in June, 1875, had a depth of only 7½ feet of water, had on the 8th of July, 1879, a minimum depth of 26 feet, having a width of not less than 200 feet and a central depth of 30 feet. Payments have been made in accordance with the statute, as the work progressed, amounting in the aggregate to $4,250,000; and further payments will become due, as provided by the statute, in the event of success in maintaining the channel now secured.

The reports of the General of the Army and of his subordinates present a full and detailed account of the military operations for the suppression of hostilities among the Indians of the Ute and Apache tribes, and praise is justly awarded to the officers and troops engaged for promptness, skill, and courage displayed.

The past year has been one of almost unbroken peace and quiet on the Mexican frontier, and there is reason to believe that the efforts of this Government and of Mexico to maintain order in that region will prove permanently successful.

This Department was enabled during the past year to find temporary, though crowded, accommodations and a safe depository for a portion of its records in the completed east wing of the building designed for the State, War, and Navy Departments. The construction of the north wing of the building, a part of the structure intended for the use of the War Department, is being carried forward with all possible dispatch, and the work should receive from Congress such liberal appropriations as will secure its speedy completion.

The report of the Secretary of the Navy shows continued improvement in that branch of the service during the last fiscal year. Extensive repairs have been made upon vessels, and two new ships have been completed and made ready for sea.

The total expenditures of the year ended June 30, 1879, including specific appropriations not estimated for by the Department, were $13,555,710.09. The expenses chargeable to the year, after deducting the amount of these specific appropriations, were $13,343,317.79; but this is subject to a reduction of $283,725.99, that amount having been drawn upon warrants, but not paid out during the year. The amount of appropriations applicable to the last fiscal year was $14,538,646.17. There was, therefore, a balance of $1,479,054.37 remaining unexpended and to the credit of the Department on June 30, 1879. The estimates for the fiscal year ending June 30, 1881, are $14,864,147.95, which exceeds the appropriations for the present fiscal year $361,897.28. The reason for this increase is explained in the Secretary's report. The appropriations available for the present fiscal year are $14,502,250.67, which will, in the opinion of the Secretary, answer all the ordinary demands of the service. The amount drawn from the Treasury from July 1 to November 1, 1879 was $5,770,404.12, of which $1,095,440.33 has been refunded, leaving as the expenditure for that period $4,674,963.79. If the expenditures of the remaining two-thirds of the year do not exceed the proportion for these four months, there will remain unexpended at the end of the year $477,359.30 of the current appropriations. The report of the Secretary shows the gratifying fact that among all the disbursing officers of the Pay Corps of the Navy there is not one who is a defaulter to the extent of a single dollar. I unite with him in recommending the removal of the observatory to a more healthful location. That institution reflects credit upon the nation, and has obtained the approbation of scientific men in all parts of the world. Its removal from its present location would not only be conducive to the health of its officers and professors, but would greatly increase its usefulness.

The appropriation for judicial expenses, which has heretofore been made for the Department of Justice in gross, was subdivided at the last session of Congress, and no appropriation whatever was made for the payment of the fees of marshals and their deputies, either in the service of process or for the discharge of other duties; and since June 30 these officers have continued the performance of their duties without compensation from the Government, taking upon themselves the necessary incidental outlays, as well as rendering their own services. In only a few unavoidable instances has the proper execution of the process of the United States failed by reason of the absence of the requisite appropriation. This course of official conduct on the part of these officers, highly creditable to their fidelity, was advised by the Attorney-General, who informed them, however, that they would necessarily have to rely for their compensation upon the prospect of future legislation by Congress. I therefore especially recommend that immediate appropriation be made by Congress for this purpose.

The act making the principal appropriation for the Department of Justice at previous sessions has uniformly contained the following clause:

> And for defraying the expenses which may be incurred in the enforcement of the act approved February 28, 1871, entitled "An act to amend an act approved May 31, 1870, entitled 'An act to enforce the rights of citizens of the United States to vote in the several States of this Union, and for other purposes,'" or any acts amendatory thereof or supplementary thereto.

No appropriation was made for this purpose for the current year. As no general election for Members of Congress occurred, the omission was a matter of little practical importance. Such election will, however, take place during the ensuing year, and the appropriation made for the pay of marshals and deputies should be sufficient to embrace compensation for the services they may be required to perform at such elections.

The business of the Supreme Court is at present largely in arrears. It can not be expected that more causes can be decided than are now disposed of in its annual session, or that by any assiduity the distinguished magistrates who compose the court can accomplish more than is now done. In the courts of many of the circuits also the business has increased to such an extent that the delay of justice will call the attention of Congress to an appropriate remedy. It is believed that all is done in each circuit which can fairly be expected from its judicial force. The evils arising from delay are less heavily felt by the United States than by private suitors, as its causes are advanced by the courts when it is seen that they involve the discussion of questions of a public character.

The remedy suggested by the Attorney-General is the appointment of additional circuit judges and the creation of an intermediate court of errors and appeals, which shall relieve the Supreme Court of a part of its jurisdiction, while a larger force is also obtained for the performance of circuit duties.

I commend this suggestion to the consideration of Congress. It would seem to afford a complete remedy, and would involve, if ten additional circuit judges are appointed, an expenditure, at the present rate of salaries, of not more than $60,000 a year, which would certainly be small in comparison with the objects to be attained.

The report of the Postmaster-General bears testimony to the general revival of business throughout the country. The receipts of the Post-Office Department for the fiscal year ended June 30, 1879, were $30,041,982.86, being $764,465.91 more than the revenues of the preceding year. The amount realized from the sale of postage stamps, stamped envelopes, and postal cards was $764,465.91 more than in the preceding year, and

$2,387,559.23 more than in 1877. The expenditures of the Department were $33,449,899.45, of which the sum of $376,461.63 was paid on liabilities incurred in preceding years.

The expenditures during the year were $801,209.77 less than in the preceding year. This reduction is to be attributed mainly to the operation of the law passed June 17, 1878, changing the compensation of postmasters from a commission on the value of stamps sold to a commission on stamps canceled.

The amount drawn from the Treasury on appropriations, in addition to the revenues of the Department, was $3,031,454.96, being $2,276,197.86 less than in the preceding year.

The expenditures for the fiscal year ending June 30, 1881, are estimated at $39,920,900 and the receipts from all sources at $32,210,000, leaving a deficiency to be appropriated for out of the Treasury of $7,710,900.

The relations of the Department with railroad companies have been harmonized, notwithstanding the general reduction by Congress of their compensation by the appropriation for special facilities, and the railway post-office lines have been greatly extended, especially in the Southern States. The interests of the Railway Mail Service and of the public would be greatly promoted and the expenditures could be more readily controlled by the classification of the employees of the Railway Mail Service as recommended by the Postmaster-General, the appropriation for salaries, with respect to which the maximum limit is already fixed by law, to be made in gross.

The Postmaster-General recommends an amendment of the law regulating the increase of compensation for increased service and increased speed on star routes, so as to enable him to advertise for proposals for such increased service and speed. He also suggests the advantages to accrue to the commerce of the country from the enactment of a general law authorizing contracts with American-built steamers, carrying the American flag, for transporting the mail between ports of the United States and ports of the West Indies and South America, at a fixed maximum price per mile, the amount to be expended being regulated by annual appropriations, in like manner with the amount paid for the domestic star service.

The arrangement made by the Postmaster-General and the Secretary of the Treasury for the collection of duty upon books received in the mail from foreign countries has proved so satisfactory in its practical operation that the recommendation is now made that Congress shall extend the provisions of the act of March 3, 1879, under which this arrangement was made, so as to apply to all other dutiable articles received in the mails from foreign countries.

The reports of the Secretary of the Interior and of the Commissioner of Indian Affairs, setting forth the present state of our relations with the Indian tribes on our territory, the measures taken to advance their civilization and prosperity, and the progress already achieved by them, will be found of more than ordinary interest. The general conduct of our Indian population has been so satisfactory that the occurrence of two disturbances, which resulted in bloodshed and destruction of property, is all the more to be lamented.

The history of the outbreak on the White River Ute Reservation, in western Colorado, has become so familiar by elaborate reports in the public press that its remarkable incidents need not be stated here in detail. It is expected that the settlement of this difficulty will lead to such arrangements as will prevent further hostile contact between the Indians and the border settlements in western Colorado.

The other disturbance occurred at the Mescalero Agency, in New Mexico, where Victoria, at the head of a small band of marauders, after committing many atrocities, being vigorously chased by a military force, made his way across the Mexican border and is now on foreign soil.

While these occurrences, in which a conparatively small number of Indians were engaged, are most deplorable, a vast majority of our Indian population have fully justified the expectations of those who believe that by humane and peaceful influences the Indian can be led to abandon the habits of savage life and to develop a capacity for useful and civilized occupations. What they have already accomplished in the pursuit of agricultural and mechanical work, the remarkable success which has attended the experiment of employing as freighters a class of Indians hitherto counted among the wildest and most intractable, and the general and urgent desire expressed by them for the education of their children may be taken as sufficient proof that they will be found capable of accomplishing much more if they continue to be wisely and fairly guided. The "Indian policy" sketched in the report of the Secretary of the Interior, the object of which is to make liberal provision for the education of Indian youth, to settle the Indians upon farm lots in severalty, to give them title in fee to their farms, inalienable for a certain number of years, and when their wants are thus provided for to dispose by sale of the lands on their reservations not occupied and used by them, a fund to be formed out of the proceeds for the benefit of the Indians, which will gradually relieve the Government of the expenses now provided for by annual appropriations, must commend itself as just and beneficial to the Indians, and as also calculated to remove those obstructions which the existence of large reservations presents to the settlement and development of the country. I therefore earnestly recommend the enactment of a law enabling the Government to give Indians a title in fee, inalienable for twenty-five years, to the farm lands assigned to them by allotment. I also repeat the recommendation made in my first annual message, that a law be passed admitting Indians who can give satisfactory proof of having by their own labor supported their families for a number of years, and who are willing to detach themselves from their tribal relations, to the benefit of the homestead act, and to grant them patents containing the same provision of inalienability for a certain period.

The experiment of sending a number of Indian children of both sexes to the Hampton Normal and Agricultural Institute, in Virginia, to receive an elementary English education and practical instruction in farming and other useful industries, has led to results so promising that it was thought expedient to turn over the cavalry barracks at Carlisle, in Pennsylvania, to the Interior Department for the establishment of an Indian school on a larger scale. This school has now 158 pupils, selected from various tribes, and is in full operation. Arrangements are also made for the education of a number of Indian boys and girls belonging to tribes on the Pacific Slope in a similar manner, at Forest Grove, in Oregon. These institutions will commend themselves to the liberality of Congress and to the philanthropic munificence of the American people.

Last spring information was received of the organization of an extensive movement in the Western States, the object of which was the occupation by unauthorized persons of certain lands in the Indian Territory ceded by the Cherokees to the Government for the purpose of settlement by other Indian tribes.

On the 26th of April I issued a proclamation* warning all persons against participation in such an attempt, and by the cooperation of a military force the invasion was promptly checked. It is my purpose to protect the rights of the Indian inhabitants of that Territory to the full extent of the executive power; but it would be unwise to ignore the fact that a territory so large and so fertile, with a population so sparse and with so great a wealth of unused resources, will be found more exposed to the repetition of such attempts as happened this year when the surrounding States are more densely settled and the westward movement of our population looks still more eagerly for fresh lands to occupy. Under such circumstances the difficulty of maintaining the Indian Territory in its present state will greatly increase, and the Indian tribes inhabiting it would do well to prepare for such a contingency. I therefore fully approve of the advice given to them by the Secretary of the Interior on a recent occasion, to divide among themselves in severalty as large a quantity of their lands as they can cultivate; to acquire individual title in fee instead of their present tribal ownership in common, and to consider in what manner the balance of their lands may be disposed of by the Government for their benefit. By adopting such a policy they would more certainly secure for themselves the value of their possessions, and at the same time promote their progress in civilization and prosperity, than by endeavoring to perpetuate the present state of things in the Territory.

The question whether a change in the control of the Indian service should be made was in the Forty-fifth Congress referred to a joint committee of both Houses for inquiry and report. In my last annual message

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*See pp. 4499-4500.

I expressed the hope that the decision of that question, then in prospect, would "arrest further agitation of this subject, such agitation being apt to produce a disturbing effect upon the service as well as on the Indians themselves." Since then, the committee having reported, the question has been decided in the negative by a vote in the House of Representatives.

For the reasons here stated, and in view of the fact that further uncertainty on this point will be calculated to obstruct other much-needed legislation, to weaken the discipline of the service, and to unsettle salutary measures now in progress for the government and improvement of the Indians, I respectfully recommend that the decision arrived at by Congress at its last session be permitted to stand.

The efforts made by the Department of the Interior to arrest the depredations on the timber lands of the United States have been continued, and have met with considerable success. A large number of cases of trespass have been prosecuted in the courts of the United States; others have been settled, the trespassers offering to make payment to the Government for the value of the timber taken by them. The proceeds of these prosecutions and settlements turned into the Treasury far exceed in amount the sums appropriated by Congress for this purpose. A more important result, however, consists in the fact that the destruction of our public forests by depredation, although such cases still occur, has been greatly reduced in extent, and it is probable that if the present policy is vigorously pursued and sufficient provision to that end is made by Congress such trespasses, at least those on a large scale, can be entirely suppressed, except in the Territories, where timber for the daily requirements of the population can not, under the present state of the law, be otherwise obtained. I therefore earnestly invite the attention of Congress to the recommendation made by the Secretary of the Interior, that a law be enacted enabling the Government to sell timber from the public lands without conveying the fee, where such lands are principally valuable for the timber thereon, such sales to be so regulated as to conform to domestic wants and business requirements, while at the same time guarding against a sweeping destruction of the forests. The enactment of such a law appears to become a more pressing necessity every day.

My recommendations in former messages are renewed in favor of enlarging the facilities of the Department of Agriculture. Agriculture is the leading interest and the permanent industry of our people. It is to the abundance of agricultural production, as compared with our home consumption, and the largely increased and highly profitable market abroad which we have enjoyed in recent years, that we are mainly indebted for our present prosperity as a people. We must look for its continued maintenance to the same substantial resource. There is no branch of industry in which labor, directed by scientific knowledge, yields such increased production in comparison with unskilled labor, and no branch of the public service to which the encouragement of liberal appropriations can be more appropriately extended. The omission to render such aid is not a wise economy, but, on the contrary, undoubtedly results in losses of immense sums annually that might be saved through well-directed efforts by the Government to promote this vital interest.

The results already accomplished with the very limited means heretofore placed at the command of the Department of Agriculture is an earnest of what may be expected with increased appropriations for the several purposes indicated in the report of the Commissioner, with a view to placing the Department upon a footing which will enable it to prosecute more effectively the objects for which it is established.

Appropriations are needed for a more complete laboratory, for the establishment of a veterinary division and a division of forestry, and for an increase of force.

The requirements for these and other purposes, indicated in the report of the Commissioner under the head of the immediate necessities of the Department, will not involve any expenditure of money that the country can not with propriety now undertake in the interests of agriculture.

It is gratifying to learn from the Bureau of Education the extent to which educational privileges throughout the United States have been advanced during the year. No more fundamental responsibility rests upon Congress than that of devising appropriate measures of financial aid to education, supplemental to local action in the States and Territories and in the District of Columbia. The wise forethought of the founders of our Government has not only furnished the basis for the support of the common-school systems of the newer States, but laid the foundations for the maintenance of their universities and colleges of agriculture and the mechanic arts. Measures in accordance with this traditional policy, for the further benefit of all these interests and the extension of the same advantages to every portion of the country, it is hoped will receive your favorable consideration.

To preserve and perpetuate the national literature should be among the foremost cares of the National Legislature. The library gathered at the Capitol still remains unprovided with any suitable accommodations for its rapidly increasing stores. The magnitude and importance of the collection, increased as it is by the deposits made under the law of copyright, by domestic and foreign exchanges, and by the scientific library of the Smithsonian Institution, call for building accommodations which shall be at once adequate and fireproof. The location of such a public building, which should provide for the pressing necessities of the present and for the vast increase of the nation's books in the future, is a matter which addresses itself to the discretion of Congress. It is earnestly recommended as a measure which should unite all suffrages and which should no longer be delayed.

The joint commission created by the act of Congress of August 2, 1876, for the purpose of supervising and directing the completion of the

Washington National Monument, of which commission the President is a member, has given careful attention to this subject, and already the strengthening of the foundation has so far progressed as to insure the entire success of this part of the work. A massive layer of masonry has been introduced below the original foundation, widening the base, increasing the stability of the structure, and rendering it possible to carry the shaft to completion. It is earnestly recommended that such further appropriations be made for the continued prosecution of the work as may be necessary for the completion of this national monument at an early day.

In former messages, impressed with the importance of the subject, I have taken occasion to commend to Congress the adoption of a generous policy toward the District of Columbia. The report of the Commissioners of the District, herewith transmitted, contains suggestions and recommendations, to all of which I earnestly invite your careful attention. I ask your early and favorable consideration of the views which they express as to the urgent need of legislation for the reclamation of the marshes of the Potomac and its Eastern Branch within the limits of the city, and for the repair of the streets of the capital, heretofore laid with wooden blocks and now by decay rendered almost impassable and a source of imminent danger to the health of its citizens. The means at the disposal of the Commissioners are wholly inadequate for the accomplishment of these important works, and should be supplemented by timely appropriations from the Federal Treasury.

The filling of the flats in front of the city will add to the adjacent lands and parks now owned by the United States a large and valuable domain, sufficient, it is thought, to reimburse its entire cost, and will also, as an incidental result, secure the permanent improvement of the river for the purposes of navigation.

The Constitution having invested Congress with supreme and exclusive jurisdiction over the District of Columbia, its citizens must of necessity look to Congress alone for all needful legislation affecting their interests; and as the territory of this District is the common property of the people of the United States, who equally with its resident citizens are interested in the prosperity of their capital, I can not doubt that you will be amply sustained by the general voice of the country in any measures you may adopt for this purpose.

I also invite the favorable consideration of Congress to the wants of the public schools of this District, as exhibited in the report of the Commissioners. While the number of pupils is rapidly increasing, no adequate provision exists for a corresponding increase of school accommodation, and the Commissioners are without the means to meet this urgent need. A number of the buildings now used for school purposes are rented, and are in important particulars unsuited for the purpose. The cause of popular education in the District of Columbia is surely entitled to the same consideration at the hands of the National Government as in the several States and Territories, to which munificent grants of the public lands have been made for the endowment of schools and universities.

RUTHERFORD B. HAYES.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 19, 1879.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a draft of a bill submitted by the Board of Commissioners of the District of Columbia, entitled "A bill to provide for the reclamation of the marshes in the harbors of the cities of Washington and Georgetown, and for other purposes," together with the accompanying letter of the president of the board requesting its transmission to Congress.

The bill embraces a plan for the reclamation of the marshes of the Potomac River and its Eastern Branch within the limits of the city of Washington, and is carefully framed with a view to economy in the prosecution of the work. The attention of Congress is again invited to the urgent need of legislation for this important work, which has been so long delayed.

The improvement contemplated is essential to the health of those who reside, whether permanently or temporarily, at the capital, and to the safe and convenient navigation of the waters in its vicinity by vessels employed in the service of the Government and for the purposes of commerce. It is a measure of more than local benefit. The capital of the nation should be relieved from every disadvantage which it is practicable to remove, and should possess every attraction with which it can be invested by the intelligent and fostering care of those who are intrusted with its immediate supervision. The people of the country will sustain and approve the efforts of their representatives in the discharge of this responsibility.

R. B. HAYES.

EXECUTIVE MANSION, *January 7, 1880.*

To the Senate of the United States:

In reply to a resolution of the Senate of December 3, 1879, requesting the President of the United States to inform the Senate whether payments have been made to the Ute Indians in accordance with the fourth article of an agreement made with said Indians September 3, 1873, I transmit herewith a letter from the Secretary of the Interior and accompanying papers.

R. B. HAYES.

WASHINGTON, *January 12, 1880.*

To the House of Representatives:

In answer to resolution of the House of Representatives of the 3d of December, 1879, relative to the consulate at Hongkong, I transmit herewith a report from the Secretary of State, with its accompanying papers.

R. B. HAYES.

EXECUTIVE MANSION, *January 14, 1880.*

To the House of Representatives:

I have the honor herewith to transmit the final report of the board for testing iron, steel, and other metals, with the accompanying papers. These papers constitute the remainder of the reports made by the board, which were transmitted by me to the House of Representatives on the 15th of June, 1878 (House Ex. Doc. No. 98, Forty-fifth Congress, second session).

The United States testing machine at Watertown Arsenal, constructed for the board, is reported as being of great value in the determination of data and the solution of problems of interest to the people of the whole country, and the special attention of Congress is called to the necessity of an appropriation to enable the War Department to make use of it. An estimate of $20,000 for the purpose was submitted to Congress in the last Book of Estimates (see p. 82), and an appropriation of that sum is respectfully recommended.

The act of July 31, 1876 (19 U. S. Statutes at Large, ch. 246, p. 119), made an appropriation for completing the experiments in testing iron, steel, and other metals, and provided that the board should be discontinued from and after the expenditure of the amount appropriated. In accordance with this legislation, the board ceased to exist on the 30th of June, 1879.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, January 21, 1880.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States of America and the French Republic for the settlement of certain claims of the citizens of either country against the other.

R. B. HAYES.

EXECUTIVE MANSION, *January 26, 1880.*

To the House of Representatives:

In reply to the resolution of the House of Representatives of the 21st instant, requesting the Commissioner of Agriculture to furnish all information which he may have in his possession bearing upon the culture of the sugar beet, etc., the accompanying letter and report, received from the Acting Commissioner of Agriculture for this purpose, are herewith transmitted.

R. B. HAYES.

EXECUTIVE MANSION, *February 5, 1880.*

To the House of Representatives:

In reply to a resolution of the House of Representatives of the 3d instant, requesting the Commissioner of Agriculture to forward any facts or statistics in his office on the subject of forestry not heretofore published from his Department, the following report, received from the Commissioner, upon this subject is hereby transmitted.

R. B. HAYES.

WASHINGTON, *February 16, 1880.*

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 5th instant, calling for any information which I may have received of the proceedings of the International Polar Congress convened in Hamburg, Germany, October 1, 1879, I transmit herewith a report from the Secretary of State on the subject.

R. B. HAYES.

WASHINGTON, *February 16, 1880.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 19th of January, 1880, calling for information in relation to claims before the American-Spanish Claims Commission and the proceedings of the commission, I transmit herewith a report from the Secretary of State upon the subject.

R. B. HAYES.

EXECUTIVE MANSION, *February 24, 1880.*

To the House of Representatives:

I herewith transmit a communication from the Attorney-General, with reference to the requisite appropriation for the current fiscal year for the compensation of the marshals of the United States, including their reimbursement for necessary expenditures in the discharge of their official duties.

R. B. HAYES.

EXECUTIVE MANSION, *February 25, 1880.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a preliminary report and a draft of a bill submitted by the Public Lands Commission authorized by the act of Congress approved March 3, 1879.

The object of the report and of the bill accompanying it is of such importance that I respectfully commend it to the prompt and earnest consideration of Congress.

R. B. HAYES.

WASHINGTON, *February 27, 1880.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 27th ultimo, I transmit herewith a report from the Secretary of State, with its papers, relating to the claim of Max. Bromberger against the Government of Mexico.

R. B. HAYES.

WASHINGTON, *February 27, 1880.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a treaty between the Government of the United States and His Highness Sultan Abdallah, King of Johanna, concerning commercial intercourse with that independent East African island, concluded at Johanna Town on the 4th day of October, 1879.

For your better understanding of the subject, I transmit also the correspondence of Commodore Shufeldt with the Navy Department, which accompanied the treaty, describing the condition and resources of the island of Johanna and narrating the progress of the negotiation, which was undertaken under the general instructions of the Department of State.

R. B. HAYES.

WASHINGTON, *March 1, 1880.*

To the Senate and House of Representatives:

I deem it proper to invite the attention of Congress to the subject of the unsettled claims of Spanish inhabitants of East Florida during the years of 1812 and 1813, generally known as the "East Florida claims," the settlement of which is provided for by a stipulation found in Article IX of the treaty of February, 1819, between the United States and Spain. The provision of the treaty in question which relates to the subject is the following:

> The United States will cause satisfaction to be made for the injuries, if any, which by process of law shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants by the late operations of the American army in Florida.

The act of Congress of the 3d of March, 1823 (3 U. S. Statutes at Large, p. 768), to carry into effect the ninth article of the treaty in question, provided for the examination and judicial ascertainment of the claims by the judges of the superior courts established at St. Augustine and Pensacola, and also made provision for the payment by the

Secretary of the Treasury of such claims as might be reported to him by the said judges, upon his being satisfied that such claims were just and equitable; and a subsequent act, approved the 26th of June, 1834 (6 U. S. Statutes at Large, p. 569), gave further directions for the payment, and also provided for the hearing and determination by the judge of the superior court of St. Augustine of such claims as had not then been already heard and determined. Under these acts of Congress I understand that all claims presented to the judges in Florida were passed upon and the result of the proceedings thus had reported to the Secretary of the Treasury. It also appears that in the computation of damages the judges adopted a rule of 5 per cent per annum on the ascertained actual loss from the date of that loss to the time of the rendition of their finding, and that the Secretary of the Treasury in 1836, when the first reports were presented to him, not deeming this portion of the claims covered by the 5 per cent rule just and equitable within the meaning of the treaty and the acts of Congress, refused to pay it, but did continue to pay the ascertained amounts of actual loss. The demand for payment of this rejected item has been pressed at various times and in various ways up to the present time, but Mr. Woodbury's successors in the Treasury Department have not felt at liberty to review that ruling.

Under these circumstances I have thought it proper to lay the subject before Congress for its consideration and such action as may be deemed necessary. The history of the proceedings already had in regard to the matter is of record in the Treasury Department, and will be furnished by the Secretary of the Treasury should Congress desire it.

R. B. HAYES.

EXECUTIVE MANSION, *March 8, 1880.*

To the Senate:

I transmit herewith the report of the Secretary of State and the accompanying papers, in response to the resolution adopted by the Senate on the 11th day of February last, requesting copies of all correspondence between this Government and any foreign government since February, 1869, respecting a ship canal across the isthmus between North America and South America, together with copies of any *projet* of treaties respecting the same which the Department of State may have proposed or submitted since that date to any foreign power or its diplomatic representative.

In further compliance with the resolution of the Senate, I deem it proper to state briefly my opinion as to the policy of the United States with respect to the construction of an interoceanic canal by any route across the American Isthmus.

The policy of this country is a canal under American control. The United States can not consent to the surrender of this control to any

European power or to any combination of European powers. If existing treaties between the United States and other nations or if the rights of sovereignty or property of other nations stand in the way of this policy—a contingency which is not apprehended—suitable steps should be taken by just and liberal negotiations to promote and establish the American policy on this subject consistently with the rights of the nations to be affected by it.

The capital invested by corporations or citizens of other countries in such an enterprise must in a great degree look for protection to one or more of the great powers of the world. No European power can intervene for such protection without adopting measures on this continent which the United States would deem wholly inadmissible. If the protection of the United States is relied upon, the United States must exercise such control as will enable this country to protect its national interests and maintain the rights of those whose private capital is embarked in the work.

An interoceanic canal across the American Isthmus will essentially change the geographical relations between the Atlantic and Pacific coasts of the United States and between the United States and the rest of the world. It would be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States. No other great power would under similar circumstances fail to assert a rightful control over a work so closely and vitally affecting its interest and welfare.

Without urging further the grounds of my opinion, I repeat, in conclusion, that it is the right and the duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests. This, I am quite sure, will be found not only compatible with but promotive of the widest and most permanent advantage to commerce and civilization.

RUTHERFORD B. HAYES.

[A similar message was sent to the House of Representatives, in answer to a resolution of that body of February 10.]

EXECUTIVE MANSION, *March 9, 1880.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a report from the Secretary of the Interior, containing an agreement signed by the chiefs and headmen of the Ute Indians now present at the seat of Government. The stipulations of this agreement appear to me so reasonable and just and the object to be accomplished by its execution so eminently desirable to both the white people of the United States and the Indians that it has my cordial approval, and I earnestly commend it to Congress for favorable consideration and appropriate legislative action.

RUTHERFORD B. HAYES.

WASHINGTON, *March 9, 1880.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention between the United States and His Majesty the King of the Belgians, defining the rights, immunities, and privileges of consular officers, concluded this day at Washington.

R. B. HAYES.

EXECUTIVE MANSION, *March 11, 1880.*

To the House of Representatives:

I transmit herewith a report, dated on the 9th instant, from the Secretary of State, with the accompanying papers, in answer to a resolution of the House of Representatives of the 25th ultimo, requesting the President to transmit to that body, if not deemed incompatible with the public interest, copies of such dispatches as have recently been received by the Secretary of State from the consul-general at Shanghai upon the subject of slavery in China and those portions of the penal code of China which forbid expatriation.

R. B. HAYES.

WASHINGTON, *March 12, 1880.*

To the House of Representatives:

In answer to a resolution of the House of Representatives of March 2, 1880, requesting the Secretary of State to communicate to the House certain information in relation to the publication and circulation of commercial reports, I transmit herewith a report from the Secretary of State, with its accompanying papers.

R. B. HAYES.

WASHINGTON, *March 29, 1880.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 29th of January, 1880, calling for information in relation to the awards of the mixed commission organized under the provisions of the treaty of April 25, 1866, between the United States and Venezuela, I transmit herewith a report from the Secretary of State upon the subject.

R. B. HAYES.

WASHINGTON, *April 12, 1880.*

To the House of Representatives:

In response to the resolution of the House of Representatives of the 12th of February last, on the subject of negotiations concerning the immigration of Chinese to the United States, I transmit a report of the Secretary of State, to whom the matter was referred.

R. B. HAYES.

WASHINGTON, *April 15, 1880.*

To the Senate of the United States:

In response to the resolution of the Senate of the 27th of February last, concerning the action had by the Executive with respect to the investigation of certain cases in which awards were made by the late United States and Mexican Commission, I transmit herewith a report of the Secretary of State, to whom the matter was referred.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, D. C., April 16, 1880.

To the House of Representatives:

The board for testing iron, steel, and other metals, appointed under the authority of "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1876, and for other purposes," contracted with Mr. A. H. Emery, of New York, for a testing machine, to be paid out of the appropriation made for the purpose. That machine has been completed and accepted, and is now in position at the Watertown Arsenal, Mass. It is spoken of by the members composing the late board as the most perfect and reliable machine in the world, embodying new mechanical principles and combinations not heretofore used in any other constructions.

In designing, perfecting, and making this machine the contractor has expended large sums of money over and above the contract price, besides giving years of labor, for which he has received no compensation. He now appeals to Congress for relief, and the papers herewith exhibit a case that calls for Congressional action. It is respectfully submitted to the House of Representatives, recommending speedy and favorable consideration.

R. B. HAYES.

EXECUTIVE MANSION, *April 22, 1880.*

To the Senate and House of Representatives:

I have the honor to inform Congress that Mr. J. Randolph Coolidge, Dr. Algernon Coolidge, Mr. Thomas Jefferson Coolidge, and Mrs. Ellen Dwight, of Massachusetts, the heirs of the late Joseph Coolidge, jr., desire to present to the United States the desk on which the Declaration of Independence was written. It bears the following inscription in the handwriting of Thomas Jefferson:

> Thomas Jefferson gives this writing desk to Joseph Coolidge, jr., as a memorial of his affection. It was made from a drawing of his own, by Ben. Randall, cabinet-maker of Philadelphia, with whom he first lodged on his arrival in that city in May, 1776, and is the identical one on which he wrote the Declaration of Independence.
>
> Politics, as well as religion, has its superstitions. These, gaining strength with time, may one day give imaginary value to this relic for its association with the birth of the great charter of our independence.
>
> MONTICELLO, *November 18, 1825*.

The desk was placed in my possession by Hon. Robert C. Winthrop, and is herewith transmitted to Congress with the letter of Mr. Winthrop expressing the wish of the donors "to offer it to the United States, so that it may henceforth have a place in the Department of State in connection with the immortal instrument which was written upon it in 1776."

I respectfully recommend that such action be taken by Congress as may be deemed appropriate with reference to a gift to the nation so precious in its history and for the memorable associations which belong to it.

RUTHERFORD B. HAYES.

WASHINGTON, D. C., *April 14, 1880*.

His Excellency RUTHERFORD B. HAYES,
President of the United States.

MY DEAR SIR: I have been privileged to bring with me from Boston, as a present to the United States, a very precious historical relic. It is the little desk on which Mr. Jefferson wrote the original draft of the Declaration of Independence.

This desk was given by Mr. Jefferson himself to my friend, the late Joseph Coolidge, of Boston, at the time of his marriage to Jefferson's granddaughter, Miss Randolph, and it bears an autograph inscription of singular interest, written by the illustrious author of the Declaration in the very last year of his life.

On the recent death of Mr. Coolidge, whose wife had died a year or two previously, the desk became the property of their children, Mr. J. Randolph Coolidge, Dr. Algernon Coolidge, Mr. Thomas Jefferson Coolidge, and Mrs. Ellen Dwight, who now desire to offer it to the United States, so that it may henceforth have a place in the Department of State in connection with the immortal instrument which was written upon it in 1776.

They have done me the honor to make me the medium of this distinguished gift, and I ask permission to place it in the hands of the Chief Magistrate of the nation in their name and at their request.

Believe me, dear Mr. President, with the highest respect, very faithfully, your obedient servant,

ROBT. C. WINTHROP.

WASHINGTON, *May 13, 1880*.

To the Senate of the United States:

I transmit herewith to the Senate, in response to their resolution of the 24th of March last, in relation to the fulfillment of the ninth article of the treaty of 1819 between the United States and Spain, a report of the Secretary of State on the correspondence asked for by the resolution, with its accompanying documents, and in connection therewith a previous report from the Secretary of State and an opinion of the Attorney-General on the subject of the East Florida claims.

R. B. HAYES.

WASHINGTON, *May 17, 1880.*

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 27th ultimo, calling for copies of the correspondence with the Government of Great Britain in regard to the alleged outrage upon American fishermen at Fortune Bay, in the Province of Newfoundland, I transmit herewith the correspondence called for and a report from the Secretary of State on the subject.

In transmitting this correspondence and the report I respectfully ask the immediate and careful attention of Congress to the failure of accord between the two Governments as to the interpretation and execution of the fishery articles of the treaty of Washington, as disclosed in this correspondence and elucidated by the exposition of the subject by the Secretary of State.

I concur in the opinions of this report as to the measures proper to be taken by this Government in maintenance of the rights accorded to our fishermen by the British concession of the treaty and in providing for suitable action toward securing an indemnity for the injury these interests have already suffered.

Accordingly, I recommend to Congress the adoption of these measures, with such attendant details of legislation as in the wisdom of Congress shall seem expedient.

R. B. HAYES.

[The same message was sent to the Senate, in answer to a resolution of that body of April 28.]

WASHINGTON, *May 24, 1880.*

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, the accompanying convention for the extradition of criminals, concluded between the United States and the Government of His Majesty the King of the Netherlands on the 22d instant.

R. B. HAYES.

EXECUTIVE MANSION, *May 25, 1880.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a communication from the Secretary of the Interior, with reference to the agreement made with the chiefs of the Ute Indians recently in Washington, a copy of which was submitted to Congress on the 9th of March last.

The special and immediate attention of Congress to the imminent danger attending the postponement of appropriate legislation to carry into effect the stipulations of this agreement is earnestly solicited.

R. B. HAYES.

EXECUTIVE MANSION, *June 5, 1880.*

To the Senate of the United States:

In response to a resolution of the Senate of the 31st ultimo, requesting the President "to communicate to the Senate whether any supervisor or supervisors of the census appointed by and with the advice and consent of the Senate have been removed from office by him or with his consent," etc., I transmit herewith a report from the Secretary of the Interior.

R. B. HAYES.

VETO MESSAGES.

EXECUTIVE MANSION, *May 4, 1880.*

To the House of Representatives:

After mature consideration of the bill entitled "An act making appropriations to supply certain deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1880, and for other purposes," I return it to the House of Representatives, in which it originated, with my objections to its passage.

The bill appropriates about $8,000,000, of which over $600,000 is for the payment of the fees of United States marshals and of the general and special deputy marshals earned during the current fiscal year, and their incidental expenses. The appropriations made in the bill are needed to carry on the operations of the Government and to fulfill its obligations for the payment of money long since due to its officers for services and expenses essential to the execution of their duties under the laws of the United States. The necessity for these appropriations is so urgent and they have been already so long delayed that if the bill before me contained no permanent or general legislation unconnected with these appropriations it would receive my prompt approval. It contains, however, provisions which materially change, and by implication repeal, important parts of the laws for the regulation of the United States elections. These laws have for several years past been the subject of vehement political controversy, and have been denounced as unnecessary, oppressive, and unconstitutional. On the other hand, it has been maintained with equal zeal and earnestness that the election laws are indispensable to fair and lawful elections, and are clearly warranted by the

Constitution. Under these circumstances, to attempt in an appropriation bill the modification or repeal of these laws is to annex a condition to the passage of needed and proper appropriations, which tends to deprive the Executive of that equal and independent exercise of discretion and judgment which the Constitution contemplates.

The objection to the bill, therefore, to which I respectfully ask your attention is that it gives a marked and deliberate sanction, attended by no circumstances of pressing necessity, to the questionable and, as I am clearly of opinion, the dangerous practice of tacking upon appropriation bills general and permanent legislation. This practice opens a wide door to hasty, inconsiderate, and sinister legislation. It invites attacks upon the independence and constitutional powers of the Executive by providing an easy and effective way of constraining Executive discretion. Although of late this practice has been resorted to by all political parties when clothed with power, it did not prevail until forty years after the adoption of the Constitution, and it is confidently believed that it is condemned by the enlightened judgment of the country. The States which have adopted new constitutions during the last quarter of a century have generally provided remedies for the evil. Many of them have enacted that no law shall contain more than one subject, which shall be plainly expressed in its title. The constitutions of more than half of the States contain substantially this provision, or some other of like intent and meaning. The public welfare will be promoted in many ways by a return to the early practice of the Government and to the true rule of legislation, which is that every measure should stand upon its own merits.

I am firmly convinced that appropriation bills ought not to contain any legislation not relevant to the application or expenditure of the money thereby appropriated, and that by a strict adherence to this principle an important and much needed reform will be accomplished.

Placing my objection to the bill on this feature of its frame, I forbear any comment upon the important general and permanent legislation which it contains, as matter for specific and independent consideration.

RUTHERFORD B. HAYES.

EXECUTIVE MANSION, *June 15, 1880.*

To the Senate of the United States:

After mature consideration of the bill entitled "An act regulating the pay and appointment of deputy marshals," I am constrained to withhold from it my approval, and to return it to the Senate, in which it originated, with my objections to its passage.

The laws now in force on the subject of the bill before me are contained in the following sections of the Revised Statutes:

> SEC. 2021. Whenever an election at which Representatives or Delegates in Congress are to be chosen is held in any city or town of 20,000 inhabitants or upward, the marshal for the district in which the city or town is situated shall, on the application

in writing of at least two citizens residing in such city or town, appoint special deputy marshals, whose duty it shall be, when required thereto, to aid and assist the supervisors of election in the verification of any list of persons who may have registered or voted; to attend in each election district or voting precinct at the times and places fixed for the registration of voters, and at all times or places when and where the registration may by law be scrutinized and the names of registered voters be marked for challenge; and also to attend, at all times for holding elections, the polls in such district or precinct.

SEC. 2022. The marshal and his general deputies, and such special deputies, shall keep the peace and support and protect the supervisors of election in the discharge of their duties, preserve order at such places of registration and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on the part of any officer of election, and immediately, either at the place of registration or polling place, or elsewhere, and either before or after registering or voting, to arrest and take into custody, with or without process, any person who commits, or attempts or offers to commit, any of the acts or offenses prohibited herein, or who commits any offense against the laws of the United States; but no person shall be arrested without process for any offense not committed in the presence of the marshal or his general or special deputies, or either of them, or of the supervisors of election, or either of them; and for the purposes of arrest or the preservation of the peace the supervisors of election shall, in the absence of the marshal's deputies, or if required to assist such deputies, have the same duties and powers as deputy marshals; nor shall any person, on the day of such election, be arrested without process for any offense committed on the day of registration.

SEC. 2023. Whenever any arrest is made under any provision of this title, the person so arrested shall forthwith be brought before a commissioner, judge, or court of the United States for examination of the offenses alleged against him; and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crimes against the United States.

SEC. 2024. The marshal or his general deputies, or such special deputies as are thereto specially empowered by him in writing, and under his hand and seal, whenever he or either or any of them is forcibly resisted in executing their duties under this title, or shall by violence, threats, or menaces be prevented from executing such duties or from arresting any person who has committed any offense for which the marshal or his general or his special deputies are authorized to make such arrest, are, and each of them is, empowered to summon and call to his aid the bystanders or *posse comitatus* of his district.

SEC. 2028. No person shall be appointed a supervisor of election or a deputy marshal under the preceding provisions who is not at the time of his appointment a qualified voter of the city, town, county, parish, election district, or voting precinct in which his duties are to be performed.

SEC. 5521. If any person be appointed a supervisor of election or a special deputy marshal under the provisions of title "The elective franchise," and has taken the oath of office as such supervisor of election or such special deputy marshal, and thereafter neglects or refuses, without good and lawful excuse, to perform and discharge fully the duties, obligations, and requirements of such office until the expiration of the term for which he was appointed, he shall not only be subject to removal from office with loss of all pay or emoluments, but shall be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than $200 and not more than $500, or by both fine and imprisonment, and shall pay the costs of prosecution.

SEC. 5522. Every person, whether with or without any authority, power, or process, or pretended authority, power, or process, of any State, Territory, or municipality, who obstructs, hinders, assaults, or by bribery, solicitation, or otherwise interferes with or prevents the supervisors of election, or either of them, or the marshal or his general or special deputies, or either of them, in the performance of any duty required of them, or either of them, or which he or they, or either of them, may be authorized to perform by any law of the United States, in the execution of process or otherwise, or who by any of the means before mentioned hinders or prevents the free attendance and presence at such places of registration, or at such polls of election, or full and free access and egress to and from any such place of registration or poll of election, or in going to and from any such place of registration or poll of election, or to and from any room where any such registration or election or canvass of votes, or of making any returns or certificates thereof, may be had, or who molests, interferes with, removes, or ejects from any such place of registration or poll of election, or of canvassing votes cast thereat, or of making returns or certificates thereof, any supervisor of election, the marshal or his general or special deputies, or either of them, or who threatens, or attempts or offers so to do, or refuses or neglects to aid and assist any supervisor of election, or the marshal or his general or special deputies, or either of them, in the performance of his or their duties, when required by him or them, or either of them, to give such aid and assistance, shall be liable to instant arrest without process, and shall be punished by imprisonment not more than two years, or by a fine of not more than $3,000, or by both such fine and imprisonment, and shall pay the cost of the prosecution.

The Supreme Court of the United States, in the recent case of *Ex parte* Siebold and others, decided at the October term, 1879, on the question raised in the case as to the constitutionality of the sections of the Revised Statutes above quoted, uses the following language:

These portions of the Revised Statutes are taken from the act commonly known as the enforcement act, approved May 31, 1870, and entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes," and from the supplement to that act, approved February 28, 1871. They relate to elections of members of the House of Representatives, and were an assertion on the part of Congress of a power to pass laws for regulating and superintending said elections and for securing the purity thereof and the rights of citizens to vote thereat peaceably and without molestation.

It must be conceded to be a most important power, and of a fundamental character. In the light of recent history and of the violence, fraud, corruption, and irregularity which have frequently prevailed at such elections, it may easily be conceived that the exertion of the power, if it exists, may be necessary to the stability of our form of government.

The greatest difficulty in coming to a just conclusion arises from mistaken notions with regard to the relations which subsist between the State and National Governments. * * *

It seems to be often overlooked that a national constitution has been adopted in this country, establishing a real government therein, operating upon persons and territory and things, and which, moreover, is, or should be, as dear to every American citizen as his State government is. Whenever the true conception of the nature of this Government is once conceded, no real difficulty will arise in the just interpretation of its powers; but if we allow ourselves to regard it as a hostile organization, opposed to the proper sovereignty and dignity of the State governments, we shall continue to be vexed with difficulties as to its jurisdiction and authority. No greater jealousy is required to be exercised toward this Government in reference to the preservation of our liberties than is proper to be exercised toward the State governments. Its powers are limited in number and clearly defined, and its action within the scope of those powers is restrained by a sufficiently rigid bill of rights for the protection of its citizens from oppression. The true interests of the people of this country require that both the National and State Governments should be allowed, without jealous interference on either side, to exercise all the powers which respectively belong to them according to a fair and practical construction of the Constitution. State rights and the rights of the United States should be equally respected. Both are essential to the preservation of our liberties and the perpetuity of our institutions. But in endeavoring to vindicate the one we should not allow our zeal to nullify or impair the other. * * *

The true doctrine, as we conceive, is this, that while the States are really sovereign as to all matters which have not been granted to the jurisdiction and control of the United States, the Constitution and constitutional laws of the latter are, as we have already said, the supreme law of the land, and when they conflict with the laws of the States they are of paramount authority and obligation. This is the fundamental principle on which the authority of the Constitution is based, and unless it be conceded in practice as well as theory the fabric of our institutions, as it was contemplated by its founders, can not stand. The questions involved have respect not more to the autonomy and existence of the States than to the continued existence of the United States as a government to which every American citizen may look for security and protection in every part of the land. * * *

Why do we have marshals at all if they can not physically lay their hands on persons and things in the performance of their proper duties? What functions can they perform if they can not use force? In executing the process of the courts must they call on the nearest constable for protection? Must they rely on him to use the requisite compulsion and to keep the peace while they are soliciting and entreating the parties and bystanders to allow the law to take its course? This is the necessary consequence of the positions that are assumed. If we indulge in such impracticable views as these, and keep on refining and re-refining, we shall drive the National Government out of the United States and relegate it to the District of Columbia, or perhaps to some foreign soil. We shall bring it back to a condition of greater helplessness than that of the old Confederation.

The argument is based on a strained and impracticable view of the nature and powers of the National Government. It must execute its powers or it is no government. It must execute them on the land as well as on the sea, on things as well as on persons. And to do this it must necessarily have power to command obedience, preserve order, and keep the peace; and no person or power in this land has the right to resist or question its authority so long as it keeps within the bounds of its jurisdiction.

I have deemed it fitting and proper to quote thus largely from an important and elaborate opinion of the Supreme Court because the bill before me proceeds upon a construction of the Constitution as to the powers of the National Government which is in direct conflict with the judgment of the highest judicial tribunal of our country.

Under the sections of the present law above quoted officers of the United States are authorized, and it is their duty in the case of Congressional elections, to keep the peace at the polls and at the places of registration; to arrest immediately any person who is guilty of crimes against the United States election laws; to protect all officers of elections in the performance of their duties; and whenever an arrest is made to bring the person so arrested before a commissioner, judge, or court of the United States for examination of the offenses alleged against him. "Such special deputy marshals as are specially empowered thereto by the marshal in writing,'' if forcibly resisted, may call to their aid the bystanders or *posse comitatus*. It is made a crime punishable with fine or imprisonment to hinder, assault, or otherwise interfere with the marshal or ''his special deputies,'' or to threaten or to attempt so to do. If any person appointed such special deputy marshal has taken the oath of office and thereafter neglects or refuses to fully discharge the duties of such office, he is punishable not only by removal from office, but by fine and imprisonment. The functions of the special deputy marshals now provided for by law being executive, they are placed under the authority of the well-known chief executive officer of the courts of the United States. They are in fact, and not merely in name, the deputies of the marshal, and he and his bondsmen are responsible for them. A civil force for the execution of the law is thus instituted in accordance with long-established and familiar usage, which is simple, effective, and under a responsible head. The necessity for the possession of these powers by appropriate officers will not be called in question by intelligent citizens who appreciate the importance of peaceable, orderly, and lawful elections. Similar powers are conferred and exercised under State laws with respect to State elections. The executive officers of the United States under the existing laws have no other or greater power to supervise and control the conduct of the Congressional elections than the State executive officers exercise in regard to State elections.

The bill before me changes completely the present law by substituting for the special deputy marshals of the existing statutes new officers hitherto unknown to the law, and who lack the power, responsibility, and protection which are essential to enable them to act efficiently as executive officers.

The bill under consideration is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the pay of all deputy marshals for services in reference to any election shall be $5 for each day of actual service, and no more.

SEC. 2. That all deputy marshals to serve in reference to any election shall be appointed by the circuit court of the United States for the district in which such marshals are to perform their duties in each year; and the judges of the several circuit courts of the United States are hereby authorized to open their respective courts at any time for that purpose; and in case the circuit courts shall not be open for that purpose at least ten days prior to a registration, if there be one, or, if no registration be required, then at least ten days before such election, the judges of the district courts of the United States are hereby respectively authorized to cause their courts to be opened for the purpose of appointing such deputy marshals, who shall be appointed by the said district courts; and the officers so appointed shall be in equal numbers from the different political parties and shall be well-known citizens, of good moral character, and actual residents of the voting precincts in which their duties are to be performed, and shall not be candidates for any office at such election; and all laws and parts of laws inconsistent with this act are hereby repealed: *Provided*, That the marshals of the United States for whom deputies shall be appointed by the court under this act shall not be liable for any of the acts of such deputies.

It will be observed that the deputy marshals proposed by the bill before me are distinctly different officers from the special deputies of the marshal, as such officers are now provided for in the statutes. This bill does not connect the new officers with the existing laws relating to special deputy marshals so as to invest the proposed deputy marshals with the same powers, to impose upon them the same duties, and to give them the same protection by means of the criminal laws. When new officers are created, distinct in character and appointed by different authority, although similar in name to officers already provided for, such officers are not held by similar responsibilities to the criminal law, do not possess the same powers, and are not similarly protected unless it is expressly so provided by legislation.

The so-called deputy marshals provided for in this bill will have no executive head. The marshal can neither appoint nor remove them. He can not control them, and he is not responsible for them. They will have no authority to call to their aid, if resisted, the *posse comitatus*. They are protected by no criminal statutes in the performance of their duties. An assault upon one of these deputies with the intent to prevent a lawful election will be no more than an ordinary assault upon any other citizen. They can not keep the peace. They can not make arrests when crimes are committed in their presence. Whatever powers they have are confined to the precincts in which they reside. Outside of the precincts for which they are appointed the deputy marshals of this bill can not keep the peace, make arrests, hold prisoners, take prisoners before a proper tribunal for hearing, nor perform any other duty. No oaths of office are required of them, and they give no bond. They have no superior who is responsible for them, and they are not punishable for neglect of duty or misconduct in office. In all these respects this bill makes a radical change between the powers of the United States officers at national elections and the powers uniformly possessed and exercised by State officers at State elections. This discrimination against the authority of the United States is a departure from the usage of the Government established by precedents beginning with the earliest statutes on the subject, and violates the true principles of the Constitution. The Supreme Court, in the decision already referred to, says:

> It is argued that the preservation of peace and good order in society is not within the powers confided to the Government of the United States, but belongs exclusively to the States. Here again we are met with the theory that the Government of the United States does not rest upon the soil and territory of the country. We think that this theory is founded on an entire misconception of the nature and powers of that Government. We hold it to be an incontrovertible principle that the Government of the United States may, by means of physical force, exercised through its official agents, execute on every foot of American soil the powers and functions that belong to it. This necessarily involves the power to command obedience to its laws, and hence the power to keep the peace to that extent.
>
> This power to enforce its laws and to execute its functions in all places does not derogate from the power of the State to execute its laws at the same time and in the

same places. The one does not exclude the other, except where both can not be executed at the same time. In that case the words of the Constitution itself show which is to yield. "This Constitution and all laws which shall be made in pursuance thereof * * * shall be the supreme law of the land."

In conclusion it is proper to say that no objection would be made to the appointment of officers to act with reference to the elections by the courts of the United States, and that I am in favor of appointing officers to supervise and protect the elections without regard to party; but the bill before me, while it recognizes the power and duty of the United States to provide officers to guard and scrutinize the Congressional elections, fails to adapt its provisions to the existing laws so as to secure efficient supervision and protection. It is therefore returned to the Senate, in which it originated, for that further consideration which is contemplated by the Constitution.

RUTHERFORD B. HAYES.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it has become known to me that certain evil-disposed persons have within the territory and jurisdiction of the United States begun and set on foot preparations for an organized and forcible possession of and settlement upon the lands of what is known as the Indian Territory, west of the State of Arkansas, which Territory is designated, recognized, and described by the treaties and laws of the United States and by the executive authorities as Indian country, and as such is only subject to occupation by Indian tribes, officers of the Indian Department, military posts, and such persons as may be privileged to reside and trade therein under the intercourse laws of the United States; and

Whereas those laws provide for the removal of all persons residing and trading therein without express permission of the Indian Department and agents, and also of all persons whom such agents may deem to be improper persons to reside in the Indian country; and

Whereas, in aid and support of such organized movement, it has been represented that no further action will be taken by the Government to prevent persons from going into said territory and settling therein, but such representations are wholly without authority:

Now, therefore, for the purpose of properly protecting the interests of the Indian nations and tribes, as well as of the United States, in said Indian Territory, and of duly enforcing the laws governing the same, I, Rutherford B. Hayes, President of the United States, do admonish and warn all such persons so intending or preparing to remove upon said lands or into said Territory without permission of the proper agent of the Indian Department against any attempt to so remove or settle upon any of the lands of said Territory; and I do further warn and notify any and all such persons who may so offend that they will be speedily and immediately removed therefrom by the agent, according to the laws made and provided, and that no efforts will be spared to prevent the invasion of said Territory, rumors spread by evil-disposed persons to the contrary notwithstanding; and if necessary the aid and assistance of the military forces of the United States will be invoked to carry into proper execution the laws of the United States herein referred to.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of February, A. D. 1880, and of the Independence of the United States the one hundred and fourth.

R. B. HAYES.

By the President:

WM. M. EVARTS, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

At no period in their history since the United States became a nation has this people had so abundant and so universal reasons for joy and gratitude at the favor of Almighty God or been subject to so profound an obligation to give thanks for His loving kindness and humbly to implore His continued care and protection.

Health, wealth, and prosperity throughout all our borders; peace, honor, and friendship with all the world; firm and faithful adherence by the great body of our population to the principles of liberty and justice which have made our greatness as a nation, and to the wise institutions and strong frame of government and society which will perpetuate it—for all these let the thanks of a happy and united people, as with one voice, ascend in devout homage to the Giver of All Good.

I therefore recommend that on Thursday, the 25th day of November next, the people meet in their respective places of worship to make their acknowledgments to Almighty God for His bounties and His protection and to offer to Him prayers for their continuance.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of November, A. D. 1880, and of the Independence of the United States the one hundred and fifth.

R. B. HAYES

By the President:

WM. M. EVARTS, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been given to me by the Government of His Majesty the Emperor of China that no discriminating duties of tonnage or imposts are imposed or levied in the ports of that nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same:

Therefore, I, Rutherford B. Hayes, President of the United States of America, by virtue of the authority in me vested by law, do hereby declare and proclaim that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued so far as respects the vessels of China and the produce, manufactures, and merchandise imported therein into the United States from China, or from any other foreign country, so long as the exemption aforesaid on the part of China of vessels belonging to citizens of the United States and their cargoes shall be continued and no longer.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of November, A. D. 1880, and of the Independence of the United States of America the one hundred and fifth.

R. B. HAYES.

By the President:

WM. M. EVARTS,
Secretary of State.

EXECUTIVE ORDER.

[From the Evening Star, Washington, D. C., May 27, 1880.]

EXECUTIVE MANSION,
Washington, D. C., May 27, 1880.

DEAR SIR:* I am directed by the President to say that the several Departments of the Government will be closed on Saturday, the 29th instant, in remembrance of those who fell in defense of the nation, and to enable the employees to participate in the commemorative ceremonies of the day.

Very respectfully, your obedient servant,

W. K. ROGERS,
Private Secretary.

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*Addressed to the heads of the Executive Departments, etc.

FOURTH ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 6, 1880.*

Fellow-Citizens of the Senate and House of Representatives:

I congratulate you on the continued and increasing prosperity of our country. By the favor of Divine Providence we have been blessed during the past year with health, with abundant harvests, with profitable employment for all our people, and with contentment at home, and with peace and friendship with other nations. The occurrence of the twenty-fourth election of Chief Magistrate has afforded another opportunity to the people of the United States to exhibit to the world a significant example of the peaceful and safe transmission of the power and authority of government from the public servants whose terms of office are about to expire to their newly chosen successors. This example can not fail to impress profoundly thoughtful people of other countries with the advantages which republican institutions afford. The immediate, general, and cheerful acquiescence of all good citizens in the result of the election gives gratifying assurance to our country and to its friends throughout the world that a government based on the free consent of an intelligent and patriotic people possesses elements of strength, stability, and permanency not found in any other form of government.

Continued opposition to the full and free enjoyment of the rights of citizenship conferred upon the colored people by the recent amendments to the Constitution still prevails in several of the late slaveholding States. It has, perhaps, not been manifested in the recent election to any large extent in acts of violence or intimidation. It has, however, by fraudulent practices in connection with the ballots, with the regulations as to the places and manner of voting, and with counting, returning, and canvassing the votes cast, been successful in defeating the exercise of the right preservative of all rights—the right of suffrage—which the Constitution expressly confers upon our enfranchised citizens.

It is the desire of the good people of the whole country that sectionalism as a factor in our politics should disappear. They prefer that no section of the country should be united in solid opposition to any other section. The disposition to refuse a prompt and hearty obedience to the equal-rights amendments to the Constitution is all that now stands in the way of a complete obliteration of sectional lines in our political contests. As long as either of these amendments is flagrantly violated or disregarded, it is safe to assume that the people who placed them in the Constitution, as embodying the legitimate results of the war for the Union, and who believe them to be wise and necessary, will continue to act together and to insist that they shall be obeyed. The paramount question still is as to the enjoyment of the right by every American citizen who has the requisite qualifications to freely cast his vote and to have it honestly counted. With this question rightly settled, the country will be relieved of the contentions of the past; bygones will indeed be bygones, and political and party issues, with respect to economy and efficiency of administration, internal improvements, the tariff, domestic taxation, education, finance, and other important subjects, will then receive their full share of attention; but resistance to and nullification of the results of the war will unite together in resolute purpose for their support all who maintain the authority of the Government and the perpetuity of the Union, and who adequately appreciate the value of the victory achieved. This determination proceeds from no hostile sentiment or feeling to any part of the people of our country or to any of their interests. The inviolability of the amendments rests upon the fundamental principle of our Government. They are the solemn expression of the will of the people of the United States.

The sentiment that the constitutional rights of all our citizens must be maintained does not grow weaker. It will continue to control the Government of the country. Happily, the history of the late election shows that in many parts of the country where opposition to the fifteenth amendment has heretofore prevailed it is diminishing, and is likely to cease altogether if firm and well-considered action is taken by Congress. I trust the House of Representatives and the Senate, which have the right to judge of the elections, returns, and qualifications of their own members, will see to it that every case of violation of the letter or spirit of the fifteenth amendment is thoroughly investigated, and that no benefit from such violation shall accrue to any person or party. It will be the duty of the Executive, with sufficient appropriations for the purpose, to prosecute unsparingly all who have been engaged in depriving citizens of the rights guaranteed to them by the Constitution.

It is not, however, to be forgotten that the best and surest guaranty of the primary rights of citizenship is to be found in that capacity for self-protection which can belong only to a people whose right to universal suffrage is supported by universal education. The means at the command of the local and State authorities are in many cases wholly inadequate to furnish free instruction to all who need it. This is especially true where before emancipation the education of the people was neglected or prevented, in the interest of slavery. Firmly convinced that the subject of popular education deserves the earnest attention of the people of the whole country, with a view to wise and comprehensive action by the Government of the United States, I respectfully recommend that Congress, by suitable legislation and with proper safeguards, supplement the local educational funds in the several States where the grave duties and responsibilities of citizenship have been devolved on uneducated people by devoting to the purpose grants of the public lands and, if necessary, by appropriations from the Treasury of the United States. Whatever

Government can fairly do to promote free popular education ought to be done. Wherever general education is found, peace, virtue, and social order prevail and civil and religious liberty are secure.

In my former annual messages I have asked the attention of Congress to the urgent necessity of a reformation of the civil-service system of the Government. My views concerning the dangers of patronage, or appointments for personal or partisan considerations, have been strengthened by my observation and experience in the Executive office, and I believe these dangers threaten the stability of the Government. Abuses so serious in their nature can not be permanently tolerated. They tend to become more alarming with the enlargement of administrative service, as the growth of the country in population increases the number of officers and placemen employed.

The reasons are imperative for the adoption of fixed rules for the regulation of appointments, promotions, and removals, establishing a uniform method having exclusively in view in every instance the attainment of the best qualifications for the position in question. Such a method alone is consistent with the equal rights of all citizens and the most economical and efficient administration of the public business.

Competitive examinations in aid of impartial appointments and promotions have been conducted for some years past in several of the Executive Departments, and by my direction this system has been adopted in the custom-houses and post-offices of the larger cities of the country. In the city of New York over 2,000 positions in the civil service have been subject in their appointments and tenure of place to the operation of published rules for this purpose during the past two years. The results of these practical trials have been very satisfactory, and have confirmed my opinion in favor of this system of selection. All are subjected to the same tests, and the result is free from prejudice by personal favor or partisan influence. It secures for the position applied for the best qualifications attainable among the competing applicants. It is an effectual protection from the pressure of importunity, which under any other course pursued largely exacts the time and attention of appointing officers, to their great detriment in the discharge of other official duties, preventing the abuse of the service for the mere furtherance of private or party purposes, and leaving the employee of the Government, freed from the obligations imposed by patronage, to depend solely upon merit for retention and advancement, and with this constant incentive to exertion and improvement.

These invaluable results have been attained in a high degree in the offices where the rules for appointment by competitive examination have been applied.

A method which has so approved itself by experimental tests at points where such tests may be fairly considered conclusive should be extended to all subordinate positions under the Government. I believe that a strong and growing public sentiment demands immediate measures for securing and enforcing the highest possible efficiency in the civil service and its protection from recognized abuses, and that the experience referred to has demonstrated the feasibility of such measures.

The examinations in the custom-houses and post-offices have been held under many embarrassments and without provision for compensation for the extra labor performed by the officers who have conducted them, and whose commendable interest in the improvement of the public service has induced this devotion of time and labor without pecuniary reward. A continuance of these labors gratuitously ought not to be expected, and without an appropriation by Congress for compensation it is not practicable to extend the system of examinations generally throughout the civil service. It is also highly important that all such examinations should be conducted upon a uniform system and under general supervision. Section 1753 of the Revised Statutes authorizes the President to prescribe the regulations for admission to the civil service of the United States, and for this purpose to employ suitable persons to conduct the requisite inquiries with reference to "the fitness of each candidate, in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter;" but the law is practically inoperative for want of the requisite appropriation.

I therefore recommend an appropriation of $25,000 per annum to meet the expenses of a commission, to be appointed by the President in accordance with the terms of this section, whose duty it shall be to devise a just, uniform, and efficient system of competitive examinations and to supervise the application of the same throughout the entire civil service of the Government. I am persuaded that the facilities which such a commission will afford for testing the fitness of those who apply for office will not only be as welcome a relief to members of Congress as it will be to the President and heads of Departments, but that it will also greatly tend to remove the causes of embarrassment which now inevitably and constantly attend the conflicting claims of patronage between the legislative and executive departments. The most effectual check upon the pernicious competition of influence and official favoritism in the bestowal of office will be the substitution of an open competition of merit between the applicants, in which everyone can make his own record with the assurance that his success will depend upon this alone.

I also recommend such legislation as, while leaving every officer as free as any other citizen to express his political opinions and to use his means for their advancement, shall also enable him to feel as safe as any private citizen in refusing all demands upon his salary for political purposes. A law which should thus guarantee true liberty and justice to all who are engaged in the public service, and likewise contain stringent provisions against the use of official authority to coerce the political action of private citizens or of official subordinates, is greatly to be desired.

The most serious obstacle, however, to an improvement of the civil service, and especially to a reform in the method of appointment and removal, has been found to be the practice, under what is known as the spoils system, by which the appointing power has been so largely encroached upon by members of Congress. The first step in the reform of the civil service must be a complete divorce between Congress and the Executive in the matter of appointments. The corrupting doctrine that "to the victors belong the spoils" is inseparable from Congressional patronage as the established rule and practice of parties in power. It comes to be understood by applicants for office and by the people generally that Representatives and Senators are entitled to disburse the patronage of their respective districts and States. It is not necessary to recite at length the evils resulting from this invasion of the Executive functions. The true principles of Government on the subject of appointments to office, as stated in the national conventions of the leading parties of the country, have again and again been approved by the American people, and have not been called in question in any quarter. These authentic expressions of public opinion upon this all-important subject are the statement of principles that belong to the constitutional structure of the Government.

> Under the Constitution the President and heads of Departments are to make nominations for office. The Senate is to advise and consent to appointments, and the House of Representatives is to accuse and prosecute faithless officers. The best interest of the public service demands that these distinctions be respected; that Senators and Representatives, who may be judges and accusers, should not dictate appointments to office.

To this end the cooperation of the legislative department of the Government is required alike by the necessities of the case and by public opinion. Members of Congress will not be relieved from the demands made upon them with reference to appointments to office until by legislative enactment the pernicious practice is condemned and forbidden.

It is therefore recommended that an act be passed defining the relations of members of Congress with respect to appointment to office by the President; and I also recommend that the provisions of section 1767 and of the sections following of the Revised Statutes, comprising the tenure-of-office act of March 2, 1867, be repealed.

Believing that to reform the system and methods of the civil service in our country is one of the highest and most imperative duties of statesmanship, and that it can be permanently done only by the cooperation of the legislative and executive departments of the Government, I again commend the whole subject to your considerate attention.

It is the recognized duty and purpose of the people of the United States to suppress polygamy where it now exists in our Territories and to prevent its extension. Faithful and zealous efforts have been made by the United States authorities in Utah to enforce the laws against it. Experience has shown that the legislation upon this subject, to be effective, requires extensive modification and amendment. The longer action is delayed the more difficult it will be to accomplish what is desired. Prompt and decided measures are necessary. The Mormon sectarian organization which upholds polygamy has the whole power of making and executing the local legislation of the Territory. By its control of the grand and petit juries it possesses large influence over the administration of justice. Exercising, as the heads of this sect do, the local political power of the Territory, they are able to make effective their hostility to the law of Congress on the subject of polygamy, and, in fact, do prevent its enforcement. Polygamy will not be abolished if the enforcement of the law depends on those who practice and uphold the crime. It can only be suppressed by taking away the political power of the sect which encourages and sustains it.

The power of Congress to enact suitable laws to protect the Territories is ample. It is not a case for halfway measures. The political power of the Mormon sect is increasing. It controls now one of our wealthiest and most populous Territories. It is extending steadily into other Territories. Wherever it goes it establishes polygamy and sectarian political power. The sanctity of marriage and the family relation are the corner stone of our American society and civilization. Religious liberty and the separation of church and state are among the elementary ideas of free institutions. To reestablish the interests and principles which polygamy and Mormonism have imperiled, and to fully reopen to intelligent and virtuous immigrants of all creeds that part of our domain which has been in a great degree closed to general immigration by intolerant and immoral institutions, it is recommended that the government of the Territory of Utah be reorganized.

I recommend that Congress provide for the government of Utah by a governor and judges, or commissioners, appointed by the President and confirmed by the Senate—a government analogous to the provisional government established for the territory northwest of the Ohio by the ordinance of 1787. If, however, it is deemed best to continue the existing form of local government, I recommend that the right to vote, hold office, and sit on juries in the Territory of Utah be confined to those who neither practice nor uphold polygamy. If thorough measures are adopted, it is believed that within a few years the evils which now afflict Utah will be eradicated, and that this Territory will in good time become one of the most prosperous and attractive of the new States of the Union.

Our relations with all foreign countries have been those of undisturbed peace, and have presented no occasion for concern as to their continued maintenance.

My anticipation of an early reply from the British Government to the demand of indemnity to our fishermen for the injuries suffered by that industry at Fortune Bay in January, 1878, which I expressed in my last annual message, was disappointed. This answer was received only in the latter part of April in the present year, and when received exhibited a failure of accord between the two Governments as to the measure of the inshore fishing privilege secured to our fishermen by the treaty of Washington of so serious a character that I made it the subject of a communication to Congress, in which I recommended the adoption of the measures which seemed to me proper to be taken by this Government in maintenance of the rights accorded to our fishermen under the treaty and toward securing an indemnity for the injury these interests had suffered. A bill to carry out these recommendations was under consideration by the House of Representatives at the time of the adjournment of Congress in June last.

Within a few weeks I have received a communication from Her Majesty's Government renewing the consideration of the subject, both of the indemnity for the injuries at Fortune Bay and of the interpretation of the treaty in which the previous correspondence had shown the two Governments to be at variance. Upon both these topics the disposition toward a friendly agreement is manifested by a recognition of our right to an indemnity for the transaction at Fortune Bay, leaving the measure of such indemnity to further conference, and by an assent to the view of this Government, presented in the previous correspondence, that the regulation of conflicting interests of the shore fishery of the provincial seacoasts and the vessel fishery of our fishermen should be made the subject of conference and concurrent arrangement between the two Governments.

I sincerely hope that the basis may be found for a speedy adjustment of the very serious divergence of views in the interpretation of the fishery clauses of the treaty of Washington, which, as the correspondence between the two Governments stood at the close of the last session of Congress, seemed to be irreconcilable.

In the important exhibition of arts and industries which was held last year at Sydney, New South Wales, as well as in that now in progress at Melbourne, the United States have been efficiently and honorably represented. The exhibitors from this country at the former place received a large number of awards in some of the most considerable departments, and the participation of the United States was recognized by a special mark of distinction. In the exhibition at Melbourne the share taken by our country is no less notable, and an equal degree of success is confidently expected.

The state of peace and tranquillity now enjoyed by all the nations of the continent of Europe has its favorable influence upon our diplomatic and commercial relations with them. We have concluded and ratified a convention with the French Republic for the settlement of claims of the citizens of either country against the other. Under this convention a commission, presided over by a distinguished publicist, appointed in pursuance of the request of both nations by His Majesty the Emperor of Brazil, has been organized and has begun its sessions in this city. A congress to consider means for the protection of industrial property has recently been in session in Paris, to which I have appointed the ministers of the United States in France and in Belgium as delegates. The International Commission upon Weights and Measures also continues its work in Paris. I invite your attention to the necessity of an appropriation to be made in time to enable this Government to comply with its obligations under the metrical convention.

Our friendly relations with the German Empire continue without interruption. At the recent International Exhibition of Fish and Fisheries at Berlin the participation of the United States, notwithstanding the haste with which the commission was forced to make its preparations, was extremely successful and meritorious, winning for private exhibitors numerous awards of a high class and for the country at large the principal prize of honor offered by His Majesty the Emperor. The results of this great success can not but be advantageous to this important and growing industry. There have been some questions raised between the two Governments as to the proper effect and interpretation of our treaties of naturalization, but recent dispatches from our minister at Berlin show that favorable progress is making toward an understanding in accordance with the views of this Government, which makes and admits no distinction whatever between the rights of a native and a naturalized citizen of the United States. In practice the complaints of molestation suffered by naturalized citizens abroad have never been fewer than at present.

There is nothing of importance to note in our unbroken friendly relations with the Governments of Austria-Hungary, Russia, Portugal, Sweden and Norway, Switzerland, Turkey, and Greece.

During the last summer several vessels belonging to the merchant marine of this country, sailing in neutral waters of the West Indies, were fired at, boarded, and searched by an armed cruiser of the Spanish Government. The circumstances as reported involve not only a private injury to the persons concerned, but also seemed too little observant of the friendly relations existing for a century between this country and Spain. The wrong was brought to the attention of the Spanish Government in a serious protest and remonstrance, and the matter is undergoing investigation by the royal authorities with a view to such explanation or reparation as may be called for by the facts.

The commission sitting in this city for the adjudication of claims of our citizens against the Government of Spain is, I hope, approaching the termination of its labors.

The claims against the United States under the Florida treaty with Spain were submitted to Congress for its action at the late session, and

I again invite your attention to this long-standing question, with a view to a final disposition of the matter.

At the invitation of the Spanish Government, a conference has recently been held at the city of Madrid to consider the subject of protection by foreign powers of native Moors in the Empire of Morocco. The minister of the United States in Spain was directed to take part in the deliberations of this conference, the result of which is a convention signed on behalf of all the powers represented. The instrument will be laid before the Senate for its consideration. The Government of the United States has also lost no opportunity to urge upon that of the Emperor of Morocco the necessity, in accordance with the humane and enlightened spirit of the age, of putting an end to the persecutions, which have been so prevalent in that country, of persons of a faith other than the Moslem, and especially of the Hebrew residents of Morocco.

The consular treaty concluded with Belgium has not yet been officially promulgated, owing to the alteration of a word in the text by the Senate of the United States, which occasioned a delay, during which the time allowed for ratification expired. The Senate will be asked to extend the period for ratification.

The attempt to negotiate a treaty of extradition with Denmark failed on account of the objection of the Danish Government to the usual clause providing that each nation should pay the expense of the arrest of the persons whose extradition it asks.

The provision made by Congress at its last session for the expense of the commission which had been appointed to enter upon negotiations with the Imperial Government of China on subjects of great interest to the relations of the two countries enabled the commissioners to proceed at once upon their mission. The Imperial Government was prepared to give prompt and respectful attention to the matters brought under negotiation, and the conferences proceeded with such rapidity and success that on the 17th of November last two treaties were signed at Peking, one relating to the introduction of Chinese into this country and one relating to commerce. Mr. Trescot, one of the commissioners, is now on his way home bringing the treaties, and it is expected that they will be received in season to be laid before the Senate early in January.

Our minister in Japan has negotiated a convention for the reciprocal relief of shipwrecked seamen. I take occasion to urge once more upon Congress the propriety of making provision for the erection of suitable fireproof buildings at the Japanese capital for the use of the American legation and the court-house and jail connected with it. The Japanese Government, with great generosity and courtesy, has offered for this purpose an eligible piece of land.

In my last annual message I invited the attention of Congress to the subject of the indemnity funds received some years ago from China and Japan. I renew the recommendation then made that whatever portions of these funds are due to American citizens should be promptly paid and the residue returned to the nations, respectively, to which they justly and equitably belong.

The extradition treaty with the Kingdom of the Netherlands, which has been for some time in course of negotiation, has during the past year been concluded and duly ratified.

Relations of friendship and amity have been established between the Government of the United States and that of Roumania. We have sent a diplomatic representative to Bucharest, and have received at this capital the special envoy who has been charged by His Royal Highness Prince Charles to announce the independent sovereignty of Roumania. We hope for a speedy development of commercial relations between the two countries.

In my last annual message I expressed the hope that the prevalence of quiet on the border between this country and Mexico would soon become so assured as to justify the modification of the orders then in force to our military commanders in regard to crossing the frontier, without encouraging such disturbances as would endanger the peace of the two countries. Events moved in accordance with these expectations, and the orders were accordingly withdrawn, to the entire satisfaction of our own citizens and the Mexican Government. Subsequently the peace of the border was again disturbed by a savage foray under the command of the Chief Victoria, but by the combined and harmonious action of the military forces of both countries his band has been broken up and substantially destroyed.

There is reason to believe that the obstacles which have so long prevented rapid and convenient communication between the United States and Mexico by railways are on the point of disappearing, and that several important enterprises of this character will soon be set on foot, which can not fail to contribute largely to the prosperity of both countries.

New envoys from Guatemala, Colombia, Bolivia, Venezuela, and Nicaragua have recently arrived at this capital, whose distinction and enlightenment afford the best guaranty of the continuance of friendly relations between ourselves and these sister Republics.

The relations between this Government and that of the United States of Colombia have engaged public attention during the past year, mainly by reason of the project of an interoceanic canal across the Isthmus of Panama, to be built by private capital under a concession from the Colombian Government for that purpose. The treaty obligations subsisting between the United States and Colombia, by which we guarantee the neutrality of the transit and the sovereignty and property of Colombia in the Isthmus, make it necessary that the conditions under which so stupendous a change in the region embraced in this guaranty should be effected—transforming, as it would, this Isthmus from a barrier between the Atlantic and Pacific oceans into a gateway and thoroughfare between them for the navies and the merchant ships of the world—should receive the approval of this Government, as being compatible with the discharge of these obligations on our part and consistent with our interests as the principal commercial power of the Western Hemisphere. The views which I expressed in a special message to Congress in March last in relation to this project I deem it my duty again to press upon your attention. Subsequent consideration has but confirmed the opinion "that it is the right and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interest."

The war between the Republic of Chile on the one hand and the allied Republics of Peru and Bolivia on the other still continues. This Government has not felt called upon to interfere in a contest that is within the belligerent rights of the parties as independent states. We have, however, always held ourselves in readiness to aid in accommodating their difference, and have at different times reminded both belligerents of our willingness to render such service.

Our good offices in this direction were recently accepted by all the belligerents, and it was hoped they would prove efficacious; but I regret to announce that the measures which the ministers of the United States at Santiago and Lima were authorized to take with the view to bring about a peace were not successful. In the course of the war some questions have arisen affecting neutral rights. In all of these the ministers of the United States have, under their instructions, acted with promptness and energy in protection of American interests.

The relations of the United States with the Empire of Brazil continue to be most cordial, and their commercial intercourse steadily increases, to their mutual advantage.

The internal disorders with which the Argentine Republic has for some time past been afflicted, and which have more or less influenced its external trade, are understood to have been brought to a close. This happy result may be expected to redound to the benefit of the foreign commerce of that Republic, as well as to the development of its vast interior resources.

In Samoa the Government of King Malietoa, under the support and recognition of the consular representatives of the United States, Great Britain, and Germany, seems to have given peace and tranquillity to the islands. While it does not appear desirable to adopt as a whole the scheme of tripartite local government which has been proposed, the common interests of the three great treaty powers require harmony in their relations to the native frame of government, and this may be best secured by a simple diplomatic agreement between them. It would be well if the consular jurisdiction of our representative at Apia were increased in extent and importance so as to guard American interests in the surrounding and outlying islands of Oceanica.

The obelisk generously presented by the Khedive of Egypt to the city of New York has safely arrived in this country, and will soon be erected in that metropolis. A commission for the liquidation of the Egyptian debt has lately concluded its work, and this Government, at the earnest solicitation of the Khedive, has acceded to the provisions adopted by it, which will be laid before Congress for its information. A commission for the revision of the judicial code of the reform tribunal of Egypt is now in session in Cairo. Mr. Farman, consul-general, and J. M. Batchelder, esq., have been appointed as commissioners to participate in this work. The organization of the reform tribunals will probably be continued for another period of five years.

In pursuance of the act passed at the last session of Congress, invitations have been extended to foreign maritime states to join in a sanitary conference in Washington, beginning the 1st of January. The acceptance of this invitation by many prominent powers gives promise of success in this important measure, designed to establish a system of international notification by which the spread of infectious or epidemic diseases may be more effectively checked or prevented. The attention of Congress is invited to the necessary appropriations for carrying into effect the provisions of the act referred to.

The efforts of the Department of State to enlarge the trade and commerce of the United States, through the active agency of consular officers and through the dissemination of information obtained from them, have been unrelaxed. The interest in these efforts, as developed in our commercial communities, and the value of the information secured by this means to the trade and manufactures of the country were recognized by Congress at its last session, and provision was made for the more frequent publication of consular and other reports by the Department of State. The first issue of this publication has now been prepared, and subsequent issues may regularly be expected. The importance and interest attached to the reports of consular officers are witnessed by the general demand for them by all classes of merchants and manufacturers engaged in our foreign trade. It is believed that the system of such publications is deserving of the approval of Congress, and that the necessary appropriations for its continuance and enlargement will commend itself to your consideration.

The prosperous energies of our domestic industries and their immense production of the subjects of foreign commerce invite, and even require, an active development of the wishes and interests of our people in that direction. Especially important is it that our commercial relations with the Atlantic and Pacific coasts of South America, with the West Indies and the Gulf of Mexico, should be direct, and not through the circuit of European systems, and should be carried on in our own bottoms. The full appreciation of the opportunities which our front on the Pacific Ocean gives to commerce with Japan, China, and the East Indies, with Australia and the island groups which lie along these routes of navigation, should inspire equal efforts to appropriate to our own shipping and to administer by our own capital a due proportion of this trade. Whatever modifications of our regulations of trade and navigation may be necessary or useful to meet and direct these impulses to the enlargement of our exchanges and of our carrying trade I am sure the wisdom of Congress will be ready to supply. One initial measure, however, seems to me so clearly useful and efficient that I venture to press it upon your earnest attention. It seems to be very evident that the provision of regular steam postal communication by aid from government has been the forerunner of the commercial predominance of Great Britain on all these coasts and seas, a greater share in whose trade is now the desire and the intent of our people. It is also manifest that the efforts of other European nations to contend with Great Britain for a share of this commerce have been successful in proportion with their adoption of regular steam postal communication with the markets whose trade they sought. Mexico and the States of South America are anxious to receive such postal communication with this country and to aid in their development. Similar cooperation may be looked for in due time from the Eastern nations and from Australia. It is difficult to see how the lead in this movement can be expected from private interests. In respect of foreign commerce quite as much as in internal trade postal communication seems necessarily a matter of common and public administration, and thus pertaining to Government. I respectfully recommend to your prompt attention such just and efficient measures as may conduce to the development of our foreign commercial exchanges and the building up of our carrying trade.

In this connection I desire also to suggest the very great service which might be expected in enlarging and facilitating our commerce on the Pacific Ocean were a transmarine cable laid from San Francisco to the Sandwich Islands, and thence to Japan at the north and Australia at the south. The great influence of such means of communication on these routes of navigation in developing and securing the due share of our Pacific Coast in the commerce of the world needs no illustration or enforcement. It may be that such an enterprise, useful, and in the end profitable, as it would prove to private investment, may need to be accelerated by prudent legislation by Congress in its aid, and I submit the matter to your careful consideration.

An additional and not unimportant, although secondary, reason for fostering and enlarging the Navy may be found in the unquestionable service to the expansion of our commerce which would be rendered by the frequent circulation of naval ships in the seas and ports of all quarters of the globe. Ships of the proper construction and equipment to be of the greatest efficiency in case of maritime war might be made constant and active agents in time of peace in the advancement and protection of our foreign trade and in the nurture and discipline of young seamen, who would naturally in some numbers mix with and improve the crews of our merchant ships. Our merchants at home and abroad recognize the value to foreign commerce of an active movement of our naval vessels, and the intelligence and patriotic zeal of our naval officers in promoting every interest of their countrymen is a just subject of national pride.

The condition of the financial affairs of the Government, as shown by the report of the Secretary of the Treasury, is very satisfactory. It is believed that the present financial situation of the United States, whether considered with respect to trade, currency, credit, growing wealth, or the extent and variety of our resources, is more favorable than that of any other country of our time, and has never been surpassed by that of any country at any period of its history. All our industries are thriving; the rate of interest is low; new railroads are being constructed; a vast immigration is increasing our population, capital, and labor; new enterprises in great number are in progress, and our commercial relations with other countries are improving.

The ordinary revenues from all sources for the fiscal year ended June 30, 1880, were—

From customs	$186,522,064.60
From internal revenue	124,009,373.92
From sales of public lands	1,016,506.60
From tax on circulation and deposits of national banks	7,014,971.44
From repayment of interest by Pacific Railway companies	1,707,367.18
From sinking fund for Pacific Railway companies	786,621.22
From customs fees, fines, penalties, etc	1,148,800.16
From fees—consular, letters patent, and lands	2,337,029.00
From proceeds of sales of Government property	282,616.50
From profits on coinage, etc	2,792,186.78
From revenues of the District of Columbia	1,809,469.70
From miscellaneous sources	4,099,603.88
Total ordinary receipts	333,526,610.98

The ordinary expenditures for the same period were—

For civil expenses	$15,693,963.55
For foreign intercourse	1,211,490.58
For Indians	5,945,457.09
For pensions (including $19,341,025.20 arrears of pensions)	56,777,174.44
For the military establishment, including river and harbor improvements and arsenals	38,116,916.22
For the naval establishment, including vessels, machinery, and improvements at navy-yards	13,536,984.74
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	34,535,691.00
For expenditures on account of the District of Columbia	3,272,384.63
For interest on the public debt	95,757,575.11
For premium on bonds purchased	2,795,320.42

leaving a surplus revenue of $65,883,653.20, which, with an amount drawn from the cash balance in Treasury of $8,084,434.21, making $73,968,087.41, was applied to the redemption—

Of bonds for the sinking fund	$73,652,900.00
Of fractional currency	251,717.41
Of the loan of 1858	40,000.00
Of temporary loan	100.00
Of bounty-land scrip	25.00
Of compound-interest notes	16,500.00
Of 7.30 notes of 1864-65	2,650.00
Of one and two year notes	3,700.00
Of old demand notes	495.00
Total	73,968,087.41

The amount due the sinking fund for this year was $37,931,643.55. There was applied thereto the sum of $73,904,617.41, being $35,972,973.86 in excess of the actual requirements for the year.

The aggregate of the revenues from all sources during the fiscal year ended June 30, 1880, was $333,526,610.98, an increase over the preceding year of $59,699,426.52. The receipts thus far of the current year, together with the estimated receipts for the remainder of the year, amount to $350,000,000, which will be sufficient to meet the estimated expenditures of the year and leave a surplus of $90,000,000.

It is fortunate that this large surplus revenue occurs at a period when it may be directly applied to the payment of the public debt soon to be redeemable. No public duty has been more constantly cherished in the United States than the policy of paying the nation's debt as rapidly as possible.

The debt of the United States, less cash in the Treasury and exclusive of accruing interest, attained its maximum of $2,756,431,571.43 in August, 1865, and has since that time been reduced to $1,886,019,504.65. Of the principal of the debt, $108,758,100 has been paid since March 1, 1877, effecting an annual saving of interest of $6,107,593. The burden of interest has also been diminished by the sale of bonds bearing a low rate of interest and the application of the proceeds to the redemption of bonds bearing a higher rate. The annual saving thus secured since March 1, 1877, is $14,290,453.50. Within a short period over six hundred millions of 5 and 6 per cent bonds will become redeemable. This presents a very favorable opportunity not only to further reduce the principal of the debt, but also to reduce the rate of interest on that which will remain unpaid. I call the attention of Congress to the views expressed on this subject by the Secretary of the Treasury in his annual report, and recommend prompt legislation to enable the Treasury Department to complete the refunding of the debt which is about to mature.

The continuance of specie payments has not been interrupted or endangered since the date of resumption. It has contributed greatly to the revival of business and to our remarkable prosperity. The fears that preceded and accompanied resumption have proved groundless. No considerable amount of United States notes have been presented for redemption, while very large sums of gold bullion, both domestic and imported, are taken to the mints and exchanged for coin or notes. The increase of coin and bullion in the United States since January 1, 1879, is estimated at $227,399,428.

There are still in existence, uncanceled, $346,681,016 of United States legal-tender notes. These notes were authorized as a war measure, made necessary by the exigencies of the conflict in which the United States was then engaged. The preservation of the nation's existence required, in the judgment of Congress, an issue of legal-tender paper money. That it served well the purpose for which it was created is not questioned, but the employment of the notes as paper money indefinitely, after the accomplishment of the object for which they were provided, was not contemplated by the framers of the law under which they were issued. These notes long since became, like any other pecuniary obligation of the Government, a debt to be paid, and when paid to be canceled as mere evidence of an indebtedness no longer existing. I therefore repeat what was said in the annual message of last year, that the retirement from circulation of United States notes with the capacity of legal tender in private contracts is a step to be taken in our progress toward a safe and stable currency which should be accepted as the policy and duty of the Government and the interest and security of the people.

At the time of the passage of the act now in force requiring the coinage of silver dollars, fixing their value, and giving them legal-tender character it was believed by many of the supporters of the measure that the silver dollar which it authorized would speedily become, under the operations of the law, of equivalent value to the gold dollar. There were other supporters of the bill, who, while they doubted as to the probability of this result, nevertheless were willing to give the proposed experiment a fair trial, with a view to stop the coinage if experience should prove that the silver dollar authorized by the bill continued to be of less commercial value than the standard gold dollar.

The coinage of silver dollars under the act referred to began in March, 1878, and has been continued as required by the act. The average rate per month to the present time has been $2,276,492. The total amount coined prior to the 1st of November last was $72,847,750. Of this amount $47,084,450 remain in the Treasury, and only $25,763,291 are in the hands of the people. A constant effort has been made to keep this currency in circulation, and considerable expense has been necessarily incurred for this purpose; but its return to the Treasury is prompt and sure. Contrary to the confident anticipation of the friends of the measure at the time of its adoption, the value of the silver dollar containing 412½ grains of silver has not increased. During the year prior to the passage of the bill authorizing its coinage the market value of the silver which it contained was from 90 to 92 cents as compared with the standard gold dollar. During the last year the average market value of the silver dollar has been 88½ cents.

It is obvious that the legislation of the last Congress in regard to silver, so far as it was based on an anticipated rise in the value of silver as a result of that legislation, has failed to produce the effect then predicted. The longer the law remains in force, requiring, as it does, the coinage of a nominal dollar which in reality is not a dollar, the greater becomes the danger that this country will be forced to accept a single metal as the sole legal standard of value in circulation, and this a standard of less value than it purports to be worth in the recognized money of the world.

The Constitution of the United States, sound financial principles, and our best interests all require that the country should have as its legal-tender money both gold and silver coin of an intrinsic value, as bullion, equivalent to that which upon its face it purports to possess. The Constitution in express terms recognizes both gold and silver as the only true legal-tender money. To banish either of these metals from our currency is to narrow and limit the circulating medium of exchange to the disparagement of important interests. The United States produces more silver than any other country, and is directly interested in maintaining it as one of the two precious metals which furnish the coinage of the world. It will, in my judgment, contribute to this result if Congress will repeal so much of existing legislation as requires the coinage of silver dollars containing only 412½ grains of silver, and in its stead will authorize the Secretary of the Treasury to coin silver dollars of equivalent value, as bullion, with gold dollars. This will defraud no man, and will be in accordance with familiar precedents. Congress on several occasions has altered the ratio of value between gold and silver, in order to establish it more nearly in accordance with the actual ratio of value between the two metals.

In financial legislation every measure in the direction of greater fidelity in the discharge of pecuniary obligations has been found by experience to diminish the rates of interest which debtors are required to pay and to increase the facility with which money can be obtained for every legitimate purpose. Our own recent financial history shows how surely money becomes abundant whenever confidence in the exact performance of moneyed obligations is established.

The Secretary of War reports that the expenditures of the War Department for the fiscal year ended June 30, 1880, were $39,924,773.03. The appropriations for this Department for the current fiscal year amount to $41,993,630.40.

With respect to the Army, the Secretary invites attention to the fact that its strength is limited by statute (U. S. Revised Statutes, sec. 1115) to not more than 30,000 enlisted men, but that provisos contained in appropriation bills have limited expenditures to the enlistment of but 25,000. It is believed the full legal strength is the least possible force at which the present organization can be maintained, having in view efficiency, discipline, and economy. While the enlistment of this force would add somewhat to the appropriation for pay of the Army, the saving made in other respects would be more than an equivalent for this additional outlay, and the efficiency of the Army would be largely increased.

The rapid extension of the railroad system west of the Mississippi River and the great tide of settlers which has flowed in upon new territory impose on the military an entire change of policy. The maintenance of small posts along wagon and stage routes of travel is no longer necessary. Permanent quarters at points selected, of a more substantial character than those heretofore constructed, will be required. Under existing laws permanent buildings can not be erected without the sanction of Congress, and when sales of military sites and buildings have been authorized the moneys received have reverted to the Treasury and could only become available through a new appropriation. It is recommended that provision be made by a general statute for the sale of such abandoned military posts and buildings as are found to be unnecessary and for the application of the proceeds to the construction of other posts. While many of the present posts are of but slight value for military purposes, owing to the changed condition of the country, their occupation is continued at great expense and inconvenience, because they afford the only available shelter for troops.

The absence of a large number of officers of the line, in active duty, from their regiments is a serious detriment to the maintenance of the service. The constant demand for small detachments, each of which should be commanded by a commissioned officer, and the various details of officers for necessary service away from their commands occasion a scarcity in the number required for company duties. With a view to lessening this drain to some extent, it is recommended that the law authorizing the detail of officers from the active list as professors of tactics and military science at certain colleges and universities be so amended as to provide that all such details be made from the retired list of the Army.

Attention is asked to the necessity of providing by legislation for organizing, arming, and disciplining the *active* militia of the country, and liberal appropriations are recommended in this behalf. The reports of the Adjutant-General of the Army and the Chief of Ordnance touching this subject fully set forth its importance.

The report of the officer in charge of education in the Army shows that there are 78 schools now in operation in the Army, with an aggregate attendance of 2,305 enlisted men and children. The Secretary recommends the enlistment of 150 schoolmasters, with the rank and pay of commissary-sergeants. An appropriation is needed to supply the judge-advocates of the Army with suitable libraries, and the Secretary recommends that the Corps of Judge-Advocates be placed upon the same footing as to promotion with the other staff corps of the Army. Under existing laws the Bureau of Military Justice consists of one officer (the Judge-Advocate-General), and the Corps of Judge-Advocates of eight officers of equal rank (majors), with a provision that the limit of the corps shall remain at four when reduced by casualty or resignation to that number. The consolidation of the Bureau of Military Justice and the Corps of Judge-Advocates upon the same basis with the other staff corps of the Army would remove an unjust discrimination against deserving officers and subserve the best interests of the service.

Especial attention is asked to the report of the Chief of Engineers upon the condition of our national defenses. From a personal inspection of many of the fortifications referred to, the Secretary is able to emphasize the recommendations made and to state that their incomplete and defenseless condition is discreditable to the country. While other nations have been increasing their means for carrying on offensive warfare and attacking maritime cities, we have been dormant in preparation for defense. Nothing of importance has been done toward strengthening and finishing our casemated works since our late civil war, during which the great guns of modern warfare and the heavy armor of modern fortifications and ships came into use among the nations; and our earthworks, left by a sudden failure of appropriations some years since in all stages of incompletion, are now being rapidly destroyed by the elements.

The two great rivers of the North American continent, the Mississippi and the Columbia, have their navigable waters wholly within the limits of the United States, and are of vast importance to our internal and foreign commerce. The permanency of the important work on the South Pass of the Mississippi River seems now to be assured. There has been no failure whatever in the maintenance of the maximum channel during the six months ended August 9 last. This experiment has opened a broad, deep highway to the ocean, and is an improvement upon the permanent success of which congratulations may be exchanged among people abroad and at home, and especially among the communities of the Mississippi Valley, whose commercial exchanges float in an unobstructed channel safely to and from the sea.

A comprehensive improvement of the Mississippi and its tributaries is a matter of transcendent importance. These great waterways comprise a system of inland transportation spread like network over a large portion of the United States, and navigable to the extent of many thousands of miles. Producers and consumers alike have a common interest in such unequaled facilities for cheap transportation. Geographically, commercially, and politically, they are the strongest tie between the various sections of the country. These channels of communication and interchange are the property of the nation. Its jurisdiction is paramount over their waters, and the plainest principles of public interest require their intelligent and careful supervision, with a view to their protection, improvement, and the enhancement of their usefulness.

The channel of the Columbia River for a distance of about 100 miles from its mouth is obstructed by a succession of bars, which occasion serious delays in navigation and heavy expense for lighterage and towage. A depth of at least 20 feet at low tide should be secured and maintained to meet the requirements of the extensive and growing inland and ocean commerce it subserves. The most urgent need, however, for this great waterway is a permanent improvement of the channel at the mouth of the river.

From Columbia River to San Francisco, a distance of over 600 miles, there is no harbor on our Pacific coast which can be approached during stormy weather. An appropriation of $150,000 was made by the Forty-fifth Congress for the commencement of a breakwater and harbor of refuge, to be located at some point between the Straits of Fuca and San Francisco at which the necessities of commerce, local and general, will be best accommodated. The amount appropriated is thought to be quite inadequate for the purpose intended. The cost of the work, when finished, will be very great, owing to the want of natural advantages for a site at any point on the coast between the designated limits, and it has not been thought to be advisable to undertake the work without a larger appropriation. I commend the matter to the attention of Congress.

The completion of the new building for the War Department is urgently needed, and the estimates for continuing its construction are especially recommended.

The collections of books, specimens, and records constituting the Army Medical Museum and Library are of national importance. The library now contains about 51,500 volumes and 57,000 pamphlets relating to medicine, surgery, and allied topics. The contents of the Army Medical Museum consist of 22,000 specimens, and are unique in the completeness with which both military surgery and the diseases of armies are illustrated. Their destruction would be an irreparable loss, not only to the United States, but to the world. There are filed in the Record and Pension Division over 16,000 bound volumes of hospital records, together with a great quantity of papers, embracing the original records of the hospitals of our armies during the civil war. Aside from their historical value, these records are daily searched for evidence needed in the settlement of large numbers of pension and other claims, for the protection of the Government against attempted frauds, as well as for the benefit of honest claimants. These valuable collections are now in a building which is peculiarly exposed to the danger of destruction by fire. It is therefore earnestly recommended that an appropriation be made for a new fireproof building, adequate for the present needs and reasonable future expansion of these valuable collections. Such a building should be absolutely fireproof; no expenditure for mere architectural display is required. It is believed that a suitable structure can be erected at a cost not to exceed $250,000.

I commend to the attention of Congress the great services of the Commander in Chief of our armies during the war for the Union, whose wise, firm, and patriotic conduct did so much to bring that momentous conflict to a close. The legislation of the United States contains many precedents for the recognition of distinguished military merit, authorizing rank and emoluments to be conferred for eminent services to the country. An act of Congress authorizing the appointment of a Captain-General of the Army, with suitable provisions relating to compensation, retirement, and other details, would, in my judgment, be altogether fitting and proper, and would be warmly approved by the country.

The report of the Secretary of the Navy exhibits the successful and satisfactory management of that Department during the last fiscal year. The total expenditures for the year were $12,916,639.45, leaving unexpended at the close of the year $2,141,682.23 of the amount of available appropriations. The appropriations for the present fiscal year, ending June 30, 1881, are $15,095,061.45, and the total estimates for the next fiscal year, ending June 30, 1882, are $15,953,751.61. The amount drawn by warrant from July 1, 1880, to November 1, 1880, is $5,041,570.45.

The recommendation of the Secretary of the Navy that provision be made for the establishment of some form of civil government for the people of Alaska is approved. At present there is no protection of persons or property in that Territory except such as is afforded by the officers of the United States ship *Jamestown*. This vessel was dispatched to Sitka because of the fear that without the immediate presence of the national authority there was impending danger of anarchy. The steps taken to restore order have been accepted in good faith by both white and Indian inhabitants, and the necessity for this method of restraint does not, in my opinion, now exist. If, however, the *Jamestown* should be withdrawn, leaving the people, as at present, without the ordinary judicial and administrative authority of organized local government, serious consequences might ensue.

The laws provide only for the collection of revenue, the protection of public property, and the transmission of the mails. The problem is to supply a local rule for a population so scattered and so peculiar in its origin and condition. The natives are reported to be teachable and self-supporting, and if properly instructed doubtless would advance rapidly in civilization, and a new factor of prosperity would be added to the national life. I therefore recommend the requisite legislation upon this subject.

The Secretary of the Navy has taken steps toward the establishment of naval coaling stations at the Isthmus of Panama, to meet the requirements of our commercial relations with Central and South America, which are rapidly growing in importance. Locations eminently suitable, both as regards our naval purposes and the uses of commerce, have been selected, one on the east side of the Isthmus, at Chiriqui Lagoon, in the Caribbean Sea, and the other on the Pacific coast, at the Bay of Golfito. The only safe harbors, sufficiently commodious, on the Isthmus are at these points, and the distance between them is less than 100 miles. The report of the Secretary of the Navy concludes with valuable suggestions with respect to the building up of our merchant marine service, which deserve the favorable consideration of Congress.

The report of the Postmaster-General exhibits the continual growth and the high state of efficiency of the postal service. The operations of no Department of the Government, perhaps, represent with greater exactness the increase in the population and the business of the country. In 1860 the postal receipts were $8,518,067.40; in 1880 the receipts were $33,315,479.34. All the inhabitants of the country are directly and personally interested in having proper mail facilities, and naturally watch the Post-Office very closely. This careful oversight on the part of the people has proved a constant stimulus to improvement. During the past year there was an increase of 2,134 post-offices, and the mail routes were extended 27,177 miles, making an additional annual transportation of 10,804,191 miles. The revenues of the postal service for the ensuing year are estimated at $38,845,174.10, and the expenditures at $42,475,932, leaving a deficiency to be appropriated out of the Treasury of $3,630,757.90.

The Universal Postal Union has received the accession of almost all the countries and colonies of the world maintaining organized postal services, and it is confidently expected that all the other countries and colonies now outside the union will soon unite therewith, thus realizing the grand idea and aim of the founders of the union of forming, for purposes of international mail communication, a single postal territory, embracing the world, with complete uniformity of postal charges and conditions of international exchange for all descriptions of correspondence. To enable the United States to do its full share of this great work, additional legislation is asked by the Postmaster-General, to whose recommendations especial attention is called.

The suggestion of the Postmaster-General that it would be wise to encourage, by appropriate legislation, the establishment of American lines of steamers by our own citizens to carry the mails between our own ports and those of Mexico, Central America, South America, and of transpacific countries is commended to the serious consideration of Congress.

The attention of Congress is also invited to the suggestions of the Postmaster-General in regard to postal savings.

The necessity for additional provision to aid in the transaction of the business of the Federal courts becomes each year more apparent. The dockets of the Supreme Court and of the circuit courts in the greater number of the circuits are encumbered with the constant accession of cases. In the former court, and in many instances in the circuit courts, years intervene before it is practicable to bring cases to hearing.

The Attorney-General recommends the establishment of an intermediate court of errors and appeals. It is recommended that the number of judges of the circuit court in each circuit, with the exception of the second circuit, should be increased by the addition of another judge; in the second circuit, that two should be added; and that an intermediate appellate court should be formed in each circuit, to consist of the circuit judges and the circuit justice, and that in the event of the absence of either of these judges the place of the absent judge should be supplied by the judge of one of the district courts in the circuit. Such an appellate court could be safely invested with large jurisdiction, and its decisions would satisfy suitors in many cases where appeals would still be allowed to the Supreme Court. The expense incurred for this intermediate court will require a very moderate increase of the appropriations for the expenses of the Department of Justice. This recommendation is commended to the careful consideration of Congress.

It is evident that a delay of justice, in many instances oppressive and disastrous to suitors, now necessarily occurs in the Federal courts, which will in this way be remedied.

The report of the Secretary of the Interior presents an elaborate account of the operations of that Department during the past year. It gives me great pleasure to say that our Indian affairs appear to be in a more hopeful condition now than ever before. The Indians have made gratifying progress in agriculture, herding, and mechanical pursuits. Many who were a few years ago in hostile conflict with the Government are quietly settling down on farms where they hope to make their permanent homes, building houses and engaging in the occupations of civilized life. The introduction of the freighting business among them has been remarkably fruitful of good results, in giving many of them congenial and remunerative employment and in stimulating their ambition to earn their own support. Their honesty, fidelity, and efficiency as carriers are highly praised. The organization of a police force of Indians has been equally successful in maintaining law and order upon the reservations and in exercising a wholesome moral influence among the Indians themselves. I concur with the Secretary of the Interior in the recommendation that the pay of this force be increased, as an inducement to the best class of young men to enter it.

Much care and attention has been devoted to the enlargement of educational facilities for the Indians. The means available for this important object have been very inadequate. A few additional boarding schools at Indian agencies have been established and the erection of buildings has been begun for several more; but an increase of the appropriations for this interesting undertaking is greatly needed to accommodate the large number of Indian children of school age. The number offered by their parents from all parts of the country for education in the Government schools is much larger than can be accommodated with the means at present available for that purpose. The number of Indian pupils at the normal school at Hampton, Va., under the direction of General Armstrong, has been considerably increased, and their progress is highly encouraging. The Indian school established by the Interior Department in 1879 at Carlisle, Pa., under the direction of Captain Pratt, has been equally successful. It has now nearly 200 pupils of both sexes, representing a great variety of the tribes east of the Rocky Mountains. The pupils in both these institutions receive not only an elementary English education, but are also instructed in housework, agriculture, and useful mechanical pursuits. A similar school was established this year at Forest Grove, Oreg., for the education of Indian youth on the Pacific Coast. In addition to this, thirty-six Indian boys and girls were selected from the Eastern Cherokees and placed in boarding schools in North Carolina, where they are to receive an elementary English education and training in industrial pursuits. The interest shown by Indian parents, even among the so-called wild tribes, in the education of their children is very gratifying, and gives promise that the results accomplished by the efforts now making will be of lasting benefit.

The expenses of Indian education have so far been drawn from the permanent civilization fund at the disposal of the Department of the Interior, but the fund is now so much reduced that the continuance of this beneficial work will in the future depend on specific appropriations by Congress for the purpose; and I venture to express the hope that Congress will not permit institutions so fruitful of good results to perish for want of means for their support. On the contrary, an increase of the number of such schools appears to me highly advisable.

The past year has been unusually free from disturbances among the Indian tribes. An agreement has been made with the Utes by which they surrender their large reservation in Colorado in consideration of an annuity to be paid to them, and agree to settle in severalty on certain lands designated for that purpose, as farmers, holding individual title to their land in fee simple, inalienable for a certain period. In this way a costly Indian war has been avoided, which at one time seemed imminent, and for the first time in the history of the country an Indian nation has given up its tribal existence to be settled in severalty and to live as individuals under the common protection of the laws of the country.

The conduct of the Indians throughout the country during the past year, with but few noteworthy exceptions, has been orderly and peaceful. The guerrilla warfare carried on for two years by Victoria and his band of Southern Apaches has virtually come to an end by the death of that chief and most of his followers on Mexican soil. The disturbances caused on our northern frontier by Sitting Bull and his men, who had taken refuge in the British dominions, are also likely to cease. A large majority of his followers have surrendered to our military forces, and the remainder are apparently in progress of disintegration.

I concur with the Secretary of the Interior in expressing the earnest hope that Congress will at this session take favorable action on the bill providing for the allotment of lands on the different reservations in severalty to the Indians, with patents conferring fee-simple title inalienable for a certain period, and the eventual disposition of the residue of the reservations for general settlement, with the consent and for the benefit of the Indians, placing the latter under the equal protection of the laws of the country. This measure, together with a vigorous prosecution of our educational efforts, will work the most important and effective advance

DIAZ LEADING FRENCH PRISONERS TO MEXICO CITY

DIAZ AND THE FRENCH IN MEXICO.

Toward the middle of the nineteenth century, Porfirio Diaz became a revolutionary and military leader to be reckoned with in Mexico. When the French invaded Mexico in 1862, Diaz was the only Mexican general who could make any headway against them, and it was he who overthrew the French Emperor Maximilian in 1864. The preceding picture shows Diaz (on a white horse) leading in triumph French prisoners whom his victorious army had captured.

toward the solution of the Indian problem, in preparing for the gradual merging of our Indian population in the great body of American citizenship.

A large increase is reported in the disposal of public lands for settlement during the past year, which marks the prosperous growth of our agricultural industry and a vigorous movement of population toward our unoccupied lands. As this movement proceeds, the codification of our land laws, as well as proper legislation to regulate the disposition of public lands, become of more pressing necessity, and I therefore invite the consideration of Congress to the report and the accompanying draft of a bill made by the Public Lands Commission, which were communicated by me to Congress at the last session. Early action upon this important subject is highly desirable.

The attention of Congress is again asked to the wasteful depredations committed on our public timber lands and the rapid and indiscriminate destruction of our forests. The urgent necessity for legislation to this end is now generally recognized. In view of the lawless character of the depredations committed and the disastrous consequences which will inevitably follow their continuance, legislation has again and again been recommended to arrest the evil and to preserve for the people of our Western States and Territories the timber needed for domestic and other essential uses.

The report of the Director of the Geological Survey is a document of unusual interest. The consolidation of the various geological and geographical surveys and exploring enterprises, each of which has heretofore operated upon an independent plan, without concert, can not fail to be of great benefit to all those industries of the country which depend upon the development of our mineral resources. The labors of the scientific men, of recognized merit, who compose the corps of the Geological Survey, during the first season of their field operations and inquiries, appear to have been very comprehensive, and will soon be communicated to Congress in a number of volumes. The Director of the Survey recommends that the investigations carried on by his bureau, which so far have been confined to the so-called public-land States and Territories, be extended over the entire country, and that the necessary appropriation be made for this purpose. This would be particularly beneficial to the iron, coal, and other mining interests of the Mississippi Valley and of the Eastern and Southern States. The subject is commended to the careful consideration of Congress.

The Secretary of the Interior asks attention to the want of room in the public buildings of the capital, now existing and in progress of construction, for the accommodation of the clerical force employed and of the public records. Necessity has compelled the renting of private buildings in different parts of the city for the location of public offices, for which a large amount of rent is annually paid, while the separation of offices belonging to the same Department impedes the transaction of current business. The Secretary suggests that the blocks surrounding Lafayette Square on the east, north, and west be purchased as the sites for new edifices for the accommodation of the Government offices, leaving the square itself intact, and that if such buildings were constructed upon a harmonious plan of architecture they would add much to the beauty of the national capital, and would, together with the Treasury and the new State, Navy, and War Department building, form one of the most imposing groups of public edifices in the world.

The Commissioner of Agriculture expresses the confident belief that his efforts in behalf of the production of our own sugar and tea have been encouragingly rewarded. The importance of the results attained have attracted marked attention at home and have received the special consideration of foreign nations. The successful cultivation of our own tea and the manufacture of our own sugar would make a difference of many millions of dollars annually in the wealth of the nation.

The report of the Commissioner asks attention particularly to the continued prevalence of an infectious and contagious cattle disease known and dreaded in Europe and Asia as cattle plague, or pleuro-pneumonia. A mild type of this disease in certain sections of our country is the occasion of great loss to our farmers and of serious disturbance to our trade with Great Britain, which furnishes a market for most of our live stock and dressed meats. The value of neat cattle exported from the United States for the eight months ended August 31, 1880, was more than $12,000,000, and nearly double the value for the same period in 1879—an unexampled increase of export trade. Your early attention is solicited to this important matter.

The Commissioner of Education reports a continued increase of public interest in educational affairs, and that the public schools generally throughout the country are well sustained. Industrial training is attracting deserved attention, and colleges for instruction, theoretical and practical, in agriculture and mechanic arts, including the Government schools recently established for the instruction of Indian youth, are gaining steadily in public estimation. The Commissioner asks special attention to the depredations committed on the lands reserved for the future support of public instruction, and to the very great need of help from the nation for schools in the Territories and in the Southern States. The recommendation heretofore made is repeated and urged, that an educational fund be set apart from the net proceeds of the sales of the public lands annually, the income of which and the remainder of the net annual proceeds to be distributed on some satisfactory plan to the States and the Territories and the District of Columbia.

The success of the public schools of the District of Columbia, and the progress made, under the intelligent direction of the board of education and the superintendent, in supplying the educational requirements of the

District with thoroughly trained and efficient teachers, is very gratifying. The acts of Congress, from time to time, donating public lands to the several States and Territories in aid of educational interests have proved to be wise measures of public policy, resulting in great and lasting benefit. It would seem to be a matter of simple justice to extend the benefits of this legislation, the wisdom of which has been so fully vindicated by experience, to the District of Columbia.

I again commend the general interests of the District of Columbia to the favorable consideration of Congress. The affairs of the District, as shown by the report of the Commissioners, are in a very satisfactory condition.

In my annual messages heretofore and in my special message of December 19, 1879, I have urged upon the attention of Congress the necessity of reclaiming the marshes of the Potomac adjacent to the capital, and I am constrained by its importance to advert again to the subject. These flats embrace an area of several hundred acres. They are an impediment to the drainage of the city and seriously impair its health. It is believed that with this substantial improvement of its river front the capital would be in all respects one of the most attractive cities in the world. Aside from its permanent population, this city is necessarily the place of residence of persons from every section of the country engaged in the public service. Many others reside here temporarily for the transaction of business with the Government.

It should not be forgotten that the land acquired will probably be worth the cost of reclaiming it and that the navigation of the river will be greatly improved. I therefore again invite the attention of Congress to the importance of prompt provision for this much needed and too long delayed improvement.

The water supply of the city is inadequate. In addition to the ordinary use throughout the city, the consumption by Government is necessarily very great in the navy-yard, arsenal, and the various Departments, and a large quantity is required for the proper preservation of the numerous parks and the cleansing of sewers. I recommend that this subject receive the early attention of Congress, and that in making provision for an increased supply such means be adopted as will have in view the future growth of the city. Temporary expedients for such a purpose can not but be wasteful of money, and therefore unwise. A more ample reservoir, with corresponding facilities for keeping it filled, should, in my judgment, be constructed. I commend again to the attention of Congress the subject of the removal from their present location of the depots of the several railroads entering the city; and I renew the recommendations of my former messages in behalf of the erection of a building for the Congressional Library, the completion of the Washington Monument, and of liberal appropriations in support of the benevolent, reformatory, and penal institutions of the District.

RUTHERFORD B. HAYES.

SPECIAL MESSAGES.

WASHINGTON, *December 9, 1880.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention for the establishment, on fixed and uniform bases, of the exercise of the right of protection in Morocco, and for the settlement of certain questions connected therewith, between His Excellency the President of the United States of America; His Majesty the Emperor of Germany, King of Prussia; His Majesty the Emperor of Austria, King of Hungary; His Majesty the King of the Belgians; His Majesty the King of Denmark; His Majesty the King of Spain; His Excellency the President of the French Republic; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland; His Majesty the King of Italy; His Majesty the Sultan of Morocco; His Majesty the King of the Netherlands; His Majesty the King of Portugal and the Algarves, and His Majesty the King of Sweden and Norway, signed at Madrid on the 3d day of July last.

R. B. HAYES.

EXECUTIVE MANSION, *December 13, 1880.*

To the Senate of the United States:

The accompanying documents, received from the Commissioner of Agriculture, are transmitted to the Senate in reply to the resolution of the 7th instant, relating to contagious diseases of cattle.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, January 5, 1881.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States of America and the Empire of Japan, providing for the reimbursement of certain specified expenses which may be incurred by either country in consequence of the shipwreck on its coasts of the vessels of the other.

R. B. HAYES.

EXECUTIVE MANSION, *January 5, 1881.*

To the Senate of the United States:

In response to the resolution of the Senate of June 21, 1879, I herewith transmit reports* received from the Secretary of the Interior and the Secretary of War.

R. B. HAYES.

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*Transmitting statements of the number of soldiers and civilians killed and wounded, number of Indians killed, value of property destroyed, and expenses incurred by the United States in certain Indian wars from 1865 to 1879.

EXECUTIVE MANSION,
Washington, January 10, 1881.

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate, two treaties* signed at Peking on the 17th of November, 1880, by the commissioners plenipotentiary of the United States and China, respectively, together with a letter of the Secretary of State in relation thereto, and accompanying papers.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, January 10, 1881.

To the House of Representatives:

I submit herewith, for the information of the House of Representatives, copies of correspondence with the Department of State relating to an invitation extended by the French Republic to this Government to send one or more delegates to represent it at an international congress of electricians to be held at Paris on the 15th day of September, 1881. It appears from the same correspondence that an international exhibition of electricity is to be held at the palace of the Champs Élysées, in Paris, from August 15, 1881, to the 15th of November following, and it is therefore suggested by the French authorities that it might be well to invest the delegates selected to take part in the international congress with the additional character of commissioners to the international exhibition of electricity.

In view of the important scientific, industrial, and commercial interests designed to be promoted by the proposed international congress of electricians and exhibition of electricity, I submit the subject to your favorable consideration and recommend that a suitable appropriation be made to enable this Government to accept the foregoing invitation by appointing one or more delegates to attend the congress in question.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, January 18, 1881.

To the Senate and House of Representatives:

I have the honor to submit herewith the report of the Public Lands Commission, embracing the history and a codification of the public-land laws; and I desire earnestly to invite the attention of Congress to this important subject.

R. B. HAYES.

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*(1) Regulation of Chinese immigration into the United States; (2) commercial intercourse and judicial procedure.

EXECUTIVE MANSION,
WASHINGTON, *January 20, 1881.*

To the Senate of the United States:

I transmit herewith to the Senate a letter from the Secretary of State, with accompanying papers, in relation to the recent effort of the Government of the United States to bring about peace between Chile and Peru and Bolivia.

R. B. HAYES.

EXECUTIVE MANSION, *February 1, 1881.*

To the Senate and House of Representatives:

In compliance with the request of a large number of intelligent and benevolent citizens, and believing that it was warranted by the extraordinary circumstances of the case, on the 18th day of December, 1880, I appointed a commission consisting of George Crook and Nelson A. Miles, brigadier-generals in the Army; William Stickney, of the District of Columbia, and Walter Allen, of Massachusetts, and requested them to confer with the Ponca Indians in the Indian Territory, and, if in their judgment it was advisable, also with that part of the tribe which remained in Dakota, and "to ascertain the facts in regard to their removal and present condition so far as was necessary to determine the question as to what justice and humanity required should be done by the Government of the United States, and to report their conclusions and recommendations in the premises."

The commission, in pursuance of these instructions, having visited the Ponca Indians at their homes in the Indian Territory and in Dakota and made a careful investigation of the subject referred to them, have reported their conclusions and recommendations, and I now submit their report, together with the testimony taken, for the consideration of Congress. A minority report by Mr. Allen is also herewith submitted.

On the 27th of December, 1880, a delegation of Ponca chiefs from the Indian Territory presented to the Executive a declaration of their wishes, in which they stated that it was their desire "to remain on the lands now occupied by the Poncas in the Indian Territory" and "to relinquish all their right and interest in the lands formerly owned and occupied by the Ponca tribe in the State of Nebraska and the Territory of Dakota;" and the declaration sets forth the compensation which they will accept for the lands to be surrendered and for the injuries done to the tribe by their removal to the Indian Territory. This declaration, agreeably to the request of the chiefs making it, is herewith transmitted to Congress.

The public attention has frequently been called to the injustice and wrong which the Ponca tribe of Indians has suffered at the hands of the Government of the United States. This subject was first brought before

Congress and the country by the Secretary of the Interior in his annual report for the year 1877, in which he said:

> The case of the Poncas seems entitled to especial consideration at the hands of Congress. They have always been friendly to the whites. It is said, and, as far as I have been able to learn, truthfully, that no Ponca ever killed a white man. The orders of the Government have always met with obedient compliance at their hands. Their removal from their old homes on the Missouri River was to them a great hardship. They had been born and raised there. They had houses there in which they lived according to their ideas of comfort. Many of them had engaged in agriculture and possessed cattle and agricultural implements. They were very reluctant to leave all this, but when Congress had resolved upon their removal they finally overcame that reluctance and obeyed. Considering their constant good conduct, their obedient spirit, and the sacrifices they have made, they are certainly entitled to more than ordinary care at the hands of the Government, and I urgently recommend that liberal provision be made to aid them in their new settlement.

In the same volume the report of E. A. Howard, the agent of the Poncas, is published, which contains the following:

* * * * * * *

> I am of the opinion that the removal of the Poncas from the northern climate of Dakota to the southern climate of the Indian Territory at the season of the year it was done will prove a mistake, and that a great mortality will surely follow among the people when they shall have been here for a time and become poisoned with the malaria of the climate. Already the effects of the climate may be seen upon them in the *ennui* that seems to have settled upon each and in the large number now sick.
>
> It is a matter of astonishment to me that the Government should have ordered the removal of the Ponca Indians from Dakota to the Indian Territory without having first made some provision for their settlement and comfort. Before their removal was carried into effect an appropriation should have been made by Congress sufficient to have located them in their new home, by building a comfortable house for the occupancy of every family of the tribe. As the case now is, no appropriation has been made by Congress, except for a sum but little more than sufficient to remove them; no houses have been built for their use, and the result is that these people have been placed on an uncultivated reservation to live in their tents as best they may, and await further legislative action.

* * * * * * *

> These Indians claim that the Government had no right to move them from their reservation without first obtaining from them by purchase or treaty the title which they had acquired from the Government, and for which they rendered a valuable consideration. They claim that the date of the settlement of their tribe upon the land composing their old reservation is prehistoric; that they were all born there, and that their ancestors from generations back beyond their knowledge were born and lived upon its soil, and that they finally acquired a complete and perfect title from the Government by a treaty made with the "Great Father" at Washington, which they claim made it as legitimately theirs as is the home of the white man acquired by gift or purchase.

* * * * * * *

The subject was again referred to in similar terms in the annual report of the Interior Department for 1878, in the reports of the Commissioner of Indian Affairs and of the agent for the Poncas, and in 1879 the Secretary of the Interior said:

> That the Poncas were grievously wronged by their removal from their location on the Missouri River to the Indian Territory, their old reservation having, by a mistake

in making the Sioux treaty, been transferred to the Sioux, has been at length and repeatedly set forth in my reports, as well as those of the Commissioner of Indian Affairs. All that could be subsequently done by this Department in the absence of new legislation to repair that wrong and to indemnify them for their losses has been done with more than ordinary solicitude. They were permitted to select a new location for themselves in the Indian Territory, the Quapaw Reserve, to which they had first been taken, being objectionable to them. They chose a tract of country on the Arkansas River and the Salt Fork northwest of the Pawnee Reserve. I visited their new reservation personally to satisfy myself of their condition. The lands they now occupy are among the very best in the Indian Territory in point of fertility, well watered and well timbered, and admirably adapted for agriculture as well as stock raising. In this respect their new reservation is unquestionably superior to that which they left behind them on the Missouri River. Seventy houses have been built by and for them, of far better quality than the miserable huts they formerly occupied in Dakota, and the construction of a larger number is now in progress, so that, as the agent reports, every Ponca family will be comfortably housed before January. A very liberal allowance of agricultural implements and stock cattle has been given them, and if they apply themselves to agricultural work there is no doubt that their condition will soon be far more prosperous than it has ever been before. During the first year after their removal to the Indian Territory they lost a comparatively large number of their people by death, in consequence of the change of climate, which is greatly to be deplored; but their sanitary condition is now very much improved. The death rate among them during the present year has been very low, and the number of cases of sickness is constantly decreasing. It is thought that they are now sufficiently acclimated to be out of danger.

* * * * * * *

A committee of the Senate, after a very full investigation of the subject, on the 31st of May, 1880, reported their conclusions to the Senate, and both the majority and minority of the committee agreed that "a great wrong had been done to the Ponca Indians." The majority of the committee say:

* * * * * * *

Nothing can strengthen the Government in a just policy to the Indians so much as a demonstration of its willingness to do ample and complete justice whenever it can be shown that it has inflicted a wrong upon a weak and trusting tribe. It is impossible for the United States to hope for any confidence to be reposed in them by the Indians until there shall be shown on their part a readiness to do justice.

The minority report is equally explicit as to the duty of the Government to repair the wrong done the Poncas. It says:

* * * * * * *

We should be more prompt and anxious because they are weak and we are strong. In my judgment we should be liberal to the verge of lavishness in the expenditure of our money to improve their condition, so that they and all others may know that, although, like all nations and all men, we may do wrong, we are willing to make ample reparation.

The report of the commission appointed by me, of which General Crook was chairman, and the testimony taken by them and their investigations, add very little to what was already contained in the official reports of the Secretary of the Interior and the report of the Senate committee touching the injustice done to the Poncas by their removal to the Indian Territory. Happily, however, the evidence reported by the commission and their recommendations point out conclusively the true measures of redress which the Government of the United States ought now to adopt.

The commission in their conclusions omit to state the important facts as to the present condition of the Poncas in the Indian Territory, but the evidence they have reported shows clearly and conclusively that the Poncas now residing in that Territory, 521 in number, are satisfied with their new homes; that they are healthy, comfortable, and contented, and that they have freely and firmly decided to adhere to the choice announced in their letter of October 25, 1880, and in the declaration of December 27, 1880, to remain in the Indian Territory and not to return to Dakota.

The evidence reported also shows that the fragment of the Ponca tribe—perhaps 150 in number—which is still in Dakota and Nebraska prefer to remain on their old reservation.

In view of these facts I am convinced that the recommendations of the commission, together with the declaration of the chiefs of December last, if substantially followed, will afford a solution of the Ponca question which is consistent with the wishes and interests of both branches of the tribe, with the settled Indian policy of the Government, and, as nearly as is now practicable, with the demands of justice.

Our general Indian policy for the future should embrace the following leading ideas:

1. The Indians should be prepared for citizenship by giving to their young of both sexes that industrial and general education which is required to enable them to be self-supporting and capable of self-protection in a civilized community.

2. Lands should be allotted to the Indians in severalty, inalienable for a certain period.

3. The Indians should have a fair compensation for their lands not required for individual allotments, the amount to be invested, with suitable safeguards, for their benefit.

4. With these prerequisites secured, the Indians should be made citizens and invested with the rights and charged with the responsibilities of citizenship.

It is therefore recommended that legislation be adopted in relation to the Ponca Indians, authorizing the Secretary of the Interior to secure to the individual members of the Ponca tribe, in severalty, sufficient land for their support. inalienable for a term of years and until the restriction upon alienation may be removed by the President. Ample time and opportunity should be given to the members of the tribe freely to choose their allotments either on their old or their new reservation.

Full compensation should be made for the lands to be relinquished, for their losses by the Sioux depredations and by reason of their removal to the Indian Territory, the amount not to be less than the sums named in the declaration of the chiefs made December 27, 1880.

In short, nothing should be left undone to show to the Indians that the Government of the United States regards their rights as equally sacred with those of its citizens.

The time has come when the policy should be to place the Indians as rapidly as practicable on the same footing with the other permanent inhabitants of our country.

I do not undertake to apportion the blame for the injustice done to the Poncas. Whether the Executive or Congress or the public is chiefly in fault is not now a question of practical importance. As the Chief Executive at the time when the wrong was consummated, I am deeply sensible that enough of the responsibility for that wrong justly attaches to me to make it my particular duty and earnest desire to do all I can to give to these injured people that measure of redress which is required alike by justice and by humanity.

RUTHERFORD B. HAYES.

EXECUTIVE MANSION,
Washington, February 2, 1881.

To the House of Representatives:

I transmit herewith, for consideration and appropriate action by Congress, a letter from the Secretary of the Navy, in relation to the proposed establishment of naval stations of the United States on the American Isthmus. In this paper the current testimony of prominent officers of this Government for a long series of years, as to the feasibility and necessity of establishing such stations and the great advantage to flow therefrom to the naval and commercial interests of the United States, is clearly set forth, and the considerations adduced can not but commend themselves, I am confident, to the careful attention of Congress. Convinced of the wisdom and propriety of the suggestions thus presented, I recommend to Congress the appropriation of the sum named by the Secretary of the Navy, to be at his disposal at once, for expenditure as soon as suitable arrangements can be made to the proposed end.

R. B. HAYES.

EXECUTIVE MANSION, *February 4, 1881.*

To the Senate and House of Representatives:

I herewith transmit a communication from the Secretary of the Navy, with reference to the dispatch of a vessel for the relief of the *Jeannette* polar expedition, and commend the recommendations of the Secretary to the prompt and favorable action of Congress.

R. B. HAYES.

EXECUTIVE MANSION, *February 14, 1881.*

To the Senate and House of Representatives:

I herewith transmit the final report addressed to me by the commissioners appointed under the act of Congress approved July 19, 1876, authorizing the repavement of that part of Pennsylvania avenue lying between the Treasury Department and the Capitol Grounds.

R. B. HAYES.

WASHINGTON, *February 17, 1881.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, in response to the resolution addressed to him by the House of Representatives of the 31st of January ultimo, on the subject of international action for the restoration of silver to full use as money.

The prospect of an early international conference, promising valuable results in accordance with the interests of this country, is such that I recommend to the immediate attention of Congress an appropriation providing for the proper representation of this Government at such conference.

R. B. HAYES.

WASHINGTON, *February 21, 1881.*

To the Senate of the United States:

In compliance with the resolution of the Senate of 15th of June, 1880, requesting the Secretary of State to report to that body at its next regular session what changes, if any, of the laws regulating the management of the Department of State, or of the divisions and the bureaus thereof, are necessary or would be beneficial in promoting the efficiency or economy of its administration or management, and also to make report concerning the mode of keeping the departmental accounts, the checks and safeguards upon expenditures, and the administrative or clerical changes for the better which may suggest themselves as expedient, I transmit herewith a report from the Secretary of State upon the subjects embraced in that resolution so far as they touch the Department of State.

R. B. HAYES.

EXECUTIVE MANSION, *February 25, 1881.*

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate with a view to advising and consenting to the ratification thereof, a convention for the extradition of criminals, between the United States of America and the United States of Colombia, signed at Bogotá on the 3d of January, 1881. I also transmit certain correspondence touching the negotiation of said convention.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, February 25, 1881.

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification in due course, a convention supplementary to the consular convention of May 8, 1878, between the United States of America and His Majesty the King of Italy, concluded in the city of Washington on the 24th of February, 1881.

R. B. HAYES.

EXECUTIVE MANSION, *February 28, 1881.*

To the Senate of the United States:

I transmit herewith a copy of proclamation* for the convening of an extra session of the Senate of the United States at the Capitol, in the city of Washington, on the 4th day of March next, at noon.

R. B. HAYES.

EXECUTIVE MANSION, *February 28, 1881.*

To the Senate and House of Representatives:

I transmit herewith a copy of a letter addressed to the chairman of the Civil Service Commission on the 3d of December last, requesting to be furnished with a report upon the result in the post-office and customhouse in the city of New York of the application of the civil-service rules requiring open competitive examinations for appointments and promotions, together with the report of Hon. Dorman B. Eaton, the chairman of the Commission, in response.

The report presents a very gratifying statement of the results of the application of the rules referred to in the two largest and most important local offices in the civil service of the Government. The subject is one of great importance to the people of the whole country. I would commend the suggestions and recommendation of the chairman of the Commission to the careful consideration of Congress.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, February 28, 1881.

To the Senate of the United States:

I transmit herewith, in answer to the resolution of the Senate of the 20th ultimo, a report from the Secretary of State, with accompanying papers.†

R. B. HAYES.

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*See pp. 4591-4592.

†Correspondence relative to the sending to the United States by foreign governments of criminals, paupers, and insane persons.

EXECUTIVE MANSION, *March 3, 1881.*

To the Senate of the United States:

I have the honor to inform the Senate that Hon. Benjamin Harrison, Senator elect from the State of Indiana, has resigned his office as a member of the Commission for the Improvement of the Mississippi River, and the same has been accepted to take effect March 3, 1881.

R. B. HAYES.

EXECUTIVE MANSION, *March 3, 1881.*

To the Senate of the United States:

I have the honor to inform the Senate that Hon. John Sherman, Senator elect from the State of Ohio, has resigned the position of Secretary of the Treasury, and that said resignation has been accepted to take effect at the close of the present day.

R. B. HAYES.

VETO MESSAGE.

EXECUTIVE MANSION, *March 3, 1881.*

To the House of Representatives:

Having considered the bill entitled "An act to facilitate the refunding of the national debt," I am constrained to return it to the House of Representatives, in which it originated, with the following statement of my objections to its passage:

The imperative necessity for prompt action and the pressure of public duties in this closing week of my term of office compel me to refrain from any attempt to make a full and satisfactory presentation of the objections to the bill.

The importance of the passage at the present session of Congress of a suitable measure for the refunding of the national debt which is about to mature is generally recognized. It has been urged upon the attention of Congress by the Secretary of the Treasury and in my last annual message. If successfully accomplished, it will secure a large decrease in the annual interest payment of the nation, and I earnestly recommend, if the bill before me shall fail, that another measure for this purpose be adopted before the present Congress adjourns.

While, in my opinion, it would be unwise to authorize the Secretary of the Treasury, in his discretion, to offer to the public bonds bearing 3½ per cent interest in aid of refunding, I should not deem it my duty to interpose my constitutional objection to the passage of the present bill if it did not contain, in its fifth section, provisions which, in my judgment, seriously impair the value and tend to the destruction of the present national banking system of the country. This system has now been in operation almost twenty years. No safer or more beneficial banking system was ever established. Its advantages as a business are free to all who have the necessary capital. It furnishes a currency to the public which for convenience and security of the bill holder has probably never been equaled by that of any other banking system. Its notes are secured by the deposit with the Government of the interest-bearing bonds of the United States.

The section of the bill before me which relates to the national banking system, and to which objection is made, is not an essential part of a refunding measure. It is as follows:

> SEC. 5. From and after the 1st day of July, 1881, the 3 per cent bonds authorized by the first section of this act shall be the only bonds receivable as security for national-bank circulation or as security for the safe-keeping and prompt payment of the public money deposited with such banks; but when any such bonds deposited for the purposes aforesaid shall be designated for purchase or redemption by the Secretary of the Treasury, the banking association depositing the same shall have the right to substitute other issues of the bonds of the United States in lieu thereof: *Provided*, That no bond upon which interest has ceased shall be accepted or shall be continued on deposit as security for circulation or for the safe-keeping of the public money; and in case bonds so deposited shall not be withdrawn, as provided by law, within thirty days after the interest has ceased thereon, the banking association depositing the same shall be subject to the liabilities and proceedings on the part of the Comptroller provided for in section 5234 of the Revised Statutes of the United States: *And provided further*, That section 4 of the act of June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of the national-bank currency, and for other purposes," be, and the same is hereby, repealed, and sections 5159 and 5160 of the Revised Statutes of the United States be, and the same are hereby, reenacted.

Under this section it is obvious that no additional banks will hereafter be organized, except possibly in a few cities or localities where the prevailing rates of interest in ordinary business are extremely low. No new banks can be organized and no increase of the capital of existing banks can be obtained except by the purchase and deposit of 3 per cent bonds. No other bonds of the United States can be used for the purpose. The one thousand millions of other bonds recently issued by the United States, and bearing a higher rate of interest than 3 per cent, and therefore a better security for the bill holder, can not after the 1st of July next be received as security for bank circulation. This is a radical change in the banking law. It takes from the banks the right they have heretofore had under the law to purchase and deposit as security for their circulation any of the bonds issued by the United States, and deprives the bill holder of the best security which the banks are able to give by requiring them to deposit bonds having the least value of any bonds issued by the Government.

The average rate of taxation of capital employed in banking is more than double the rate of taxation upon capital employed in other legitimate business. Under these circumstances, to amend the banking law so as to deprive the banks of the privilege of securing their notes by the most valuable bonds issued by the Government will, it is believed, in a large part of the country, be a practical prohibition of the organization of new banks and prevent the existing banks from enlarging their capital. The national banking system, if continued at all, will be a monopoly in the hands of those already engaged in it, who may purchase the Government bonds bearing a more favorable rate of interest than the 3 per cent bonds prior to next July.

To prevent the further organization of banks is to put in jeopardy the whole system, by taking from it that feature which makes it, as it now is, a banking system free upon the same terms to all who wish to engage in it. Even the existing banks will be in danger of being driven from business by the additional disadvantages to which they will be subjected by this bill. In short, I can not but regard the fifth section of the bill as a step in the direction of the destruction of the national banking system.

Our country, after a long period of business depression, has just entered upon a career of unexampled prosperity.

The withdrawal of the currency from circulation of the national banks, and the enforced winding up of the banks in consequence, would inevitably bring serious embarrassment and disaster to the business of the country. Banks of issue are essential instruments of modern commerce. If the present efficient and admirable system of banking is broken down, it will inevitably be followed by a recurrence to other and inferior methods of banking. Any measure looking to such a result will be a disturbing element in our financial system. It will destroy confidence and surely check the growing prosperity of the country.

Believing that a measure for refunding the national debt is not necessarily connected with the national banking law, and that any refunding act would defeat its own object if it imperiled the national banking system or seriously impaired its usefulness, and convinced that section 5 of the bill before me would, if it should become a law, work great harm, I herewith return the bill to the House of Representatives for that further consideration which is provided for in the Constitution.

RUTHERFORD B. HAYES.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at 12 o'clock on the 4th of March next to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Rutherford B. Hayes, President of the United States.

have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 4th day of March next, at 12 o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the 28th day of February, A. D. 1881, and of the Independence of the United States of America the one hundred and fifth.

[SEAL.]

R. B. HAYES.

By the President:

WM. M. EVARTS,
Secretary of State.

EXECUTIVE ORDER.

EXECUTIVE MANSION,
Washington, February 22, 1881.

The SECRETARY OF WAR:

In view of the well-known fact that the sale of intoxicating liquors in the Army of the United States is the cause of much demoralization among both officers and men, and that it gives rise to a large proportion of the cases before general and garrison courts-martial, involving great expense and serious injury to the service—

It is therefore directed, That the Secretary of War take suitable steps, as far as practicable consistently with vested rights, to prevent the sale of intoxicating liquors as a beverage at the camps, forts, and other posts of the Army.

R. B. HAYES.

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QUESTIONS.

1. What were Hayes' strong pleas for the encouragement of Agriculture, and what former President did he quote? Pages 4457, 4530.

2. What were the President's views as to the occupancy of Indian Territory? Pages 4499, 4550.

3. Why did Hayes veto the standard silver dollar coinage bill? Page 4438.

4. What were the restrictions on Chinese Immigration? Page 4466.

5. Did Hayes approve military interference at elections? Page 4484.

SUGGESTIONS.

The work of reconstruction of Southern States necessarily continued, and called for action by President Hayes. Pages 4394, 4410, 4445.

The tariff question became especially prominent during Hayes' administration. Pages 4422, 4511.

As a forerunner of the free silver agitation, the Bland-Allison Act was passed in 1878. (See Bland-Allison Act, with references, Encyclopedic Index. Also see Bland Dollar, Encyclopedic Index.)

Read President Hayes' views on the question of refunding the national debt. Page 4589. (See Refunding, Encyclopedic Index.)

Read Hayes' Foreign Policy. Pages 4418, 4420.

NOTE.

For further suggestions on Hayes' administration see Hayes, Rutherford B., Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

James A. Garfield

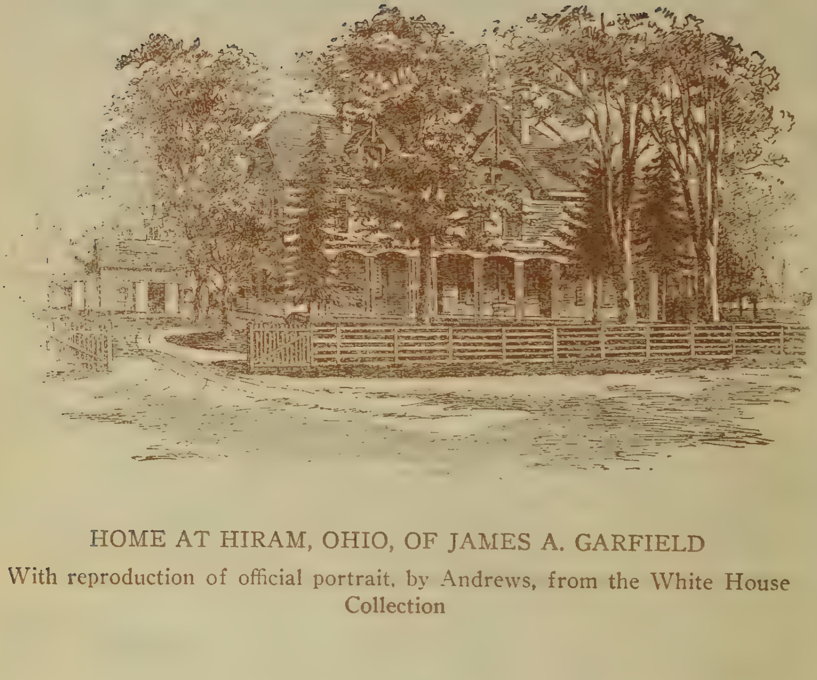
March 4, 1881, to September 19, 1881

SEE ENCYCLOPEDIC INDEX.

The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.



HOME AT HIRAM, OHIO, OF JAMES A. GARFIELD

With reproduction of official portrait, by Andrews, from the White House Collection

J A Garfield

LUCRETIA RUDOLPH GARFIELD

Lucretia Rudolph, born in Hiram, Ohio, married James Abram Garfield in 1868, soon after he became President of Hiram College, where both studied. The marriage was ideal, his wife's intelligent sympathy and co-operative ability aiding greatly in his advancement to his high office. Through the terrible ordeal of his assassination, painful illness and death, Mrs. Garfield was vastly sustained by her power of self-control. Her short stay at the White House proved her tactful and cordial in dispensing public and private hospitality, gaining for her the nation's love and sympathy in her sorrow. President Garfield's was the first mother of a President to reside at the Executive Mansion, although others had seen their sons thus honored. A fund of over three hundred and fifty thousand dollars was partially raised for the Garfield family before the President's death, and the knowledge of this fact was a great comfort to him in his dying moments.

GARFIELD

In one of his speeches delivered in the National House of Representatives in 1866, Garfield said: "To all our means of culture is added the powerful incentive to personal ambition which springs from the genius of our Government. The pathway to honorable distinction lies open to all. No post of honor is so high but the poorest may hope to reach it. It is the pride of every American that many distinguished names at whose mention our hearts beat with a quicker bound were worn by the sons of poverty, who conquered obscurity and became fixed stars in our firmament." These words, uttered at a time when Garfield's splendid career was not yet in its opening stages, impart a forcible intimation of one of the marked characteristics of his earnest and determined nature, namely, his clear conception of the opportunities afforded to young men of the present time by our republican form of government and the guaranty it gives of equal rights to all. By these words he evidenced the fact that he had grasped the possibilities of individual attainment, and was imbued with the spirit of our institutions. He knew the possibilities of his own life, and possessed a serene confidence that his country would offer opportunities for their realization.

He never underestimated, and was always quick to see the value of an opportunity. Whatever he set out to do he did with his might. He did not believe in luck. His estimate of a man was based upon his capacity for hard work. Every effort of life, whether public or private, was to him an opportunity for the emulation of a lofty ideal.

On entering Congress he was immediately recognized as a political force. His first utterance secured the attention of every member. Not possessing the tricks of oratory, he had what is better, the profoundness of logic. Sweeping aside the misty film which shrouded a subject under discussion, he made plain and bare the intricate matter it contained, and in terse, eloquent sentences he forced his conclusions. When he had finished, the discussion was ended.

He was a recognized leader. He was master of all subjects. While he adorned every discussion with his eloquence, he enforced his views with incontrovertible argument. He saw and improved opportunities as they came, and day after day he grew in intellectual vigor and political strength until his reputation became national and his ability commanded universal confidence and respect.

In reaching this eminence he never crawled an inch. He moved upward as the eagle goes to the mountain top. Dignified, but not ostentatious, frank but not blunt, reserved but not austere, patient and laborious, he conquered all conditions, surmounted all obstacles and survived all vicissitudes. When the hand of the assassin laid him low, the characteristics that made him great in life gave the touch of beauty and sublimity to his noble spirit through the closing hours that resulted in death.

Throughout his life he had ever aimed to merit his own self-respect and the approval of his Maker. Accepting his election as United States Senator, in a speech to the Ohio legislature he said: "I have represented for many years a district in Congress whose approbation I greatly desired; but, though it may seem, perhaps, a little egotistical to say it, I yet desired still more the approbation of one person and his name is Garfield."

The abrupt and untimely ending of his career was a sad blow to the country, and a most bitter affliction to his many friends. It removed from our midst in the very prime of usefulness and ability one of the most complete and representative types of human character that our immediate civilization has produced. As we scan the eventful life of this Colossus of men, and consider the unrealized possibilities of his magnificent career, had Fate decreed for him the usual span of earthly existence, we cannot but feel that an irreparable loss was sustained in his death.

By reason of the exalted station he had attained and the extraordinary force and energy of his splendid manhood, great expectations were entertained by all, and especially by those who knew him best, of the good that would come to the country at large as well as to its individual citizens as the result of his further public services.

It is not too much to say that President Garfield's administration, had his term of office extended the full period, by reason of the policies he represented, and the plans contemplated, for the development of our resources and the advancement of our position as a commercial nation, would have been one of the most notable and progressive in American history.

Chas. Dick.

James A. Garfield

James Abram Garfield was born in Orange, Cuyahoga County, Ohio, November 19, 1831. His father, Abram Garfield, was a native of New York, but of Massachusetts ancestry; descended from Edward Garfield, an English Puritan, who in 1630 was one of the founders of Watertown. His mother, Eliza Ballou, was born in New Hampshire, of a Huguenot family that fled from France to New England after the revocation of the Edict of Nantes in 1685. Garfield, therefore, was from lineage well represented in the struggles for civil and religious liberty, both in the Old and in the New World. His father moved to Ohio in 1830 and settled in what was then known as the "Wilderness," now as the "Western Reserve," which was occupied by Connecticut people. He died at the age of 33, leaving a widow and four small children, of whom James was the youngest. Mrs. Garfield brought up her family unaided, and impressed upon them a high standard of moral and intellectual worth. James attended school in a log hut at the age of 3 years, learned to read, and began that habit of omnivorous reading which ended only with his life. At 10 years of age was accustomed to manual labor, helping out his mother's meager income by work at home or on the farms of the neighbors. Attended the district school in the winter months, made good progress, and was conspicuous for his assiduity. At the age of 14 had a fair knowledge of arithmetic and grammar, and was particularly apt in the facts of American history. His imagination was especially kindled by tales of the sea, and he so far yielded to his love of adventure that in 1848 he went to Cleveland and proposed to ship as a sailor on board a lake schooner. Seeing that this life was not the romance he had conceived, he turned promptly from the lake; but loath to return home without adventure and without money, he drove some months for a boat on the Ohio Canal, when he was promoted from the towpath to the boat. Attended the Geauga Seminary at Chester, Ohio, during the winter of 1849–50. In the vacations learned and practiced the trade of a carpenter, helped at harvest, taught—did anything and everything to earn money to pay for his schooling. After the first term he asked and needed no aid from home; he had reached the point where he could support himself. Was converted under the instructions of a Christian preacher, was baptized and received into that denomination. As soon as he finished his studies in Chester entered (1851) the Hiram Eclectic Institute (now Hiram College), at Hiram, Portage County, Ohio, the principal educational institution of his church. He was not very quick of acquisition, but his perseverance was indomitable and he soon had an excellent knowledge of Latin and a fair acquaintance with algebra, natural philosophy, and botany. His superiority was easily recognized in the prayer meetings and debating societies of the college, where he was assiduous and conspicuous. Living here was inexpensive, and he readily made his expenses by teaching in the English departments, and also gave instruction in the ancient languages. Entered Williams College in the autumn of 1854, and graduated with the highest honors in the class of 1856. Returned to Ohio and resumed his place as a teacher of Latin and Greek at Hiram Institute, and the next year, being then only 26 years of age, was made its president. The regulations and practices of his church, known as the Christian Church, or Church of the Disciples, permitted him to preach, and he used the permission. He also pursued the study of law, entering his name in 1858 as a student in a law office in Cleveland, but studying in Hiram. Cast his first vote in 1856 for John C. Frémont, the first Republican candidate for the Presidency. Married Lucretia Rudolph November 11, 1858. In 1859 was chosen to represent the counties of Summit and Portage in the Ohio senate. In August, 1861, Governor William Dennison commissioned him lieutenant-colonel in the Forty-second Regiment Ohio Volunteers. Was promoted to the command of this regiment. In December, 1861, reported to General Buell in Louisville, Ky. Was given a brigade and assigned the difficult task of driving the Confederate general Humphrey Marshall from eastern Kentucky. General Garfield triumphed over the Confederate forces at the battle of Middle Creek, January 10, 1862, and in recognition of his services was made a brigadier-general by President Lincoln. During the campaign of the Big Sandy, while Garfield was engaged in breaking up some scattered Confederate encampments, his supplies gave out and he was threatened with starvation. Going himself to the Ohio River, he seized a steamer, loaded it with provisions, and on the refusal of any pilot to undertake the perilous voyage, because of a freshet that had swelled the river, he stood at the helm for forty-eight hours and piloted the craft through the dangerous channel. In order to surprise Marshall, then intrenched in Cumberland Gap, Garfield marched his soldiers 100 miles in four days through a blinding snowstorm. Returning to Louisville, he found that General Buell was away; overtook him at Columbia, Tenn., and was assigned to the command of the Twentieth Brigade. Reached Shiloh in time to take part in the second day's fight. Was engaged in all the operations in front of Corinth, and in June, 1862, rebuilt the bridges on the Memphis and Charleston Railroad, and exhibited noticeable engineering skill in repairing the fortifications of

Huntsville. Was granted leave of absence July 30, 1862, on account of ill health, and returned to Hiram, Ohio, where he lay ill for two months. Went to Washington on September 25, 1862, and was ordered on court-martial duty. November 25 was assigned to the case of General Fitz John Porter. In February, 1863, returned to duty under General Rosecrans, then in command of the Army of the Cumberland. Rosecrans made him his chief of staff, with responsibilities beyond those usually given to this office. In this field Garfield's influence on the campaign in middle Tennessee was most important. One familiar incident shows and justifies the great influence he wielded in its counsels. Before the battle of Chickamauga, June 24, 1863, General Rosecrans asked the written opinion of seventeen of his generals on the advisability of an immediate advance. All others opposed, but Garfield advised it, and his arguments were so convincing that Rosecrans determined to seek an engagement. General Garfield wrote out all the orders of that fateful day, September 19, excepting one, and that one was the blunder that lost the day. Garfield volunteered to take the news of the defeat on the right to General George H. Thomas, who held the left of the line. It was a bold ride, under constant fire, but he reached Thomas and gave the information that saved the Army of the Cumberland. For this action he was made a major-general September 19, 1863—promoted for gallantry on a field that was lost. Yielded to Mr. Lincoln's urgent request and on December 5, 1863, resigned his commission and hastened to Washington to sit in Congress, to which he had been chosen fifteen months before. Was offered a division in the Army of the Cumberland by General Thomas, but yielded to the representations of the President and Secretary Stanton that he would be more useful in the House of Representatives. Was placed on the Committee on Military Affairs, then the most important in Congress. In the Thirty-ninth Congress (1865) was changed, at his own request, from the Committee on Military Affairs to the Committee on Ways and Means. In the Fortieth Congress (1867) was restored to the Committee on Military Affairs and made its chairman. In the Forty-first Congress the Committee on Banking and Currency was created and he was made its chairman. Served also on the Select Committee on the Census and on the Committee on Rules. Was chairman of the Committee on Appropriations in the Forty-second and Forty-third Congresses. In the Forty-fourth, Forty-fifth, and Forty-sixth Congresses (the House being Democratic) was assigned to the Committee on Ways and Means. In 1876, at President Grant's request, went to New Orleans in company with Senators Sherman and Matthews and other Republicans, to watch the counting of the Louisiana vote. He made a special study of the West Feliciana Parish case, and embodied his views in a brief but significant report. In January, 1877, made two notable speeches in the House on the duty of Congress in a Presidential election, and claimed that the Vice-President had a constitutional right to count the electoral vote. Opposed the Electoral Commission, yet when the commission was ordered was chosen by acclamation to fill one of the two seats allotted to Republican Representatives. Mr. Blaine left the House for the Senate in 1877, and this made Mr. Garfield the undisputed leader of his party in the House. At this time and subsequently was its candidate for Speaker. Was elected to the United States Senate January 13, 1880. Attended the Republican convention which met at Chicago in June, 1880, where he opposed the renomination of President Grant and supported Senator Sherman. On the thirty-sixth ballot the delegates broke their ranks, and, rushing to General Garfield, he was unanimously nominated for President on June 8, 1880. Was elected November 2, 1880, receiving 214 electoral votes to 144 that were cast for Winfield S. Hancock. Was shot July 2, 1881, by an assassin in the Baltimore and Potomac Railroad station, in Washington, and died from the effects of the wound September 19 at Elberon, N. J. He was buried at Cleveland, Ohio.

INAUGURAL ADDRESS.

FELLOW-CITIZENS: We stand to-day upon an eminence which overlooks a hundred years of national life—a century crowded with perils, but crowned with the triumphs of liberty and law. Before continuing the onward march let us pause on this height for a moment to strengthen our faith and renew our hope by a glance at the pathway along which our people have traveled.

It is now three days more than a hundred years since the adoption of the first written constitution of the United States—the Articles of Confederation and Perpetual Union. The new Republic was then beset with danger on every hand. It had not conquered a place in the family of nations. The decisive battle of the war for independence, whose centennial anniversary will soon be gratefully celebrated at Yorktown, had not yet been fought. The colonists were struggling not only against the armies of a great nation, but against the settled opinions of mankind; for the world did not then believe that the supreme authority of government could be safely intrusted to the guardianship of the people themselves.

We can not overestimate the fervent love of liberty, the intelligent courage, and the sum of common sense with which our fathers made the great experiment of self-government. When they found, after a short trial, that the confederacy of States was too weak to meet the necessities of a vigorous and expanding republic, they boldly set it aside, and in its stead established a National Union, founded directly upon the will of the people, endowed with full power of self-preservation and ample authority for the accomplishment of its great object.

Under this Constitution the boundaries of freedom have been enlarged, the foundations of order and peace have been strengthened, and the growth of our people in all the better elements of national life has indicated the wisdom of the founders and given new hope to their descendants. Under this Constitution our people long ago made themselves safe against danger from without and secured for their mariners and flag equality of rights on all the seas. Under this Constitution twenty-five States have been added to the Union, with constitutions and laws, framed and enforced by their own citizens, to secure the manifold blessings of local self-government.

The jurisdiction of this Constitution now covers an area fifty times greater than that of the original thirteen States and a population twenty times greater than that of 1780.

The supreme trial of the Constitution came at last under the tremendous pressure of civil war. We ourselves are witnesses that the Union emerged from the blood and fire of that conflict purified and made stronger for all the beneficent purposes of good government.

And now, at the close of this first century of growth, with the inspirations of its history in their hearts, our people have lately reviewed the condition of the nation, passed judgment upon the conduct and opinions of political parties, and have registered their will concerning the future administration of the Government. To interpret and to execute that will in accordance with the Constitution is the paramount duty of the Executive.

Even from this brief review it is manifest that the nation is resolutely facing to the front, resolved to employ its best energies in developing the great possibilities of the future. Sacredly preserving whatever has been gained to liberty and good government during the century, our people are determined to leave behind them all those bitter controversies concerning things which have been irrevocably settled, and the further discussion of which can only stir up strife and delay the onward march.

The supremacy of the nation and its laws should be no longer a subject of debate. That discussion, which for half a century threatened the existence of the Union, was closed at last in the high court of war by a decree from which there is no appeal—that the Constitution and the laws made in pursuance thereof are and shall continue to be the supreme law of the land, binding alike upon the States and the people. This decree does not disturb the autonomy of the States nor interfere with any of their necessary rights of local self-government, but it does fix and establish the permanent supremacy of the Union.

The will of the nation, speaking with the voice of battle and through the amended Constitution, has fulfilled the great promise of 1776 by proclaiming "liberty throughout the land to all the inhabitants thereof."

The elevation of the negro race from slavery to the full rights of citizenship is the most important political change we have known since the adoption of the Constitution of 1787. No thoughtful man can fail to appreciate its beneficent effect upon our institutions and people. It has freed us from the perpetual danger of war and dissolution. It has added immensely to the moral and industrial forces of our people. It has liberated the master as well as the slave from a relation which wronged and enfeebled both. It has surrendered to their own guardianship the manhood of more than 5,000,000 people, and has opened to each one of them a career of freedom and usefulness. It has given new inspiration to the power of self-help in both races by making labor more honorable to the one and more necessary to the other. The influence of this force will grow greater and bear richer fruit with the coming years.

No doubt this great change has caused serious disturbance to our Southern communities. This is to be deplored, though it was perhaps unavoidable. But those who resisted the change should remember that under our institutions there was no middle ground for the negro race between slavery and equal citizenship. There can be no permanent disfranchised peasantry in the United States. Freedom can never yield its fullness of blessings so long as the law or its administration places the smallest obstacle in the pathway of any virtuous citizen.

The emancipated race has already made remarkable progress. With unquestioning devotion to the Union, with a patience and gentleness not born of fear, they have "followed the light as God gave them to see the light." They are rapidly laying the material foundations of self-support, widening their circle of intelligence, and beginning to enjoy the blessings that gather around the homes of the industrious poor. They deserve the generous encouragement of all good men. So far as my authority can lawfully extend, they shall enjoy the full and equal protection of the Constitution and the laws.

The free enjoyment of equal suffrage is still in question, and a frank statement of the issue may aid its solution. It is alleged that in many communities negro citizens are practically denied the freedom of the ballot. In so far as the truth of this allegation is admitted, it is answered that in many places honest local government is impossible if the mass of uneducated negroes are allowed to vote. These are grave allegations. So far as the latter is true, it is the only palliation that can be offered for opposing the freedom of the ballot. Bad local government is certainly a great evil, which ought to be prevented; but to violate the freedom and sanctities of the suffrage is more than an evil. It is a crime which, if persisted in, will destroy the Government itself. Suicide is not a remedy. If in other lands it be high treason to compass the death of the king, it shall be counted no less a crime here to strangle our sovereign power and stifle its voice.

It has been said that unsettled questions have no pity for the repose of nations. It should be said with the utmost emphasis that this question of the suffrage will never give repose or safety to the States or to the nation until each, within its own jurisdiction, makes and keeps the ballot free and pure by the strong sanctions of the law.

But the danger which arises from ignorance in the voter can not be denied. It covers a field far wider than that of negro suffrage and the present condition of the race. It is a danger that lurks and hides in the sources and fountains of power in every state. We have no standard by which to measure the disaster that may be brought upon us by ignorance and vice in the citizens when joined to corruption and fraud in the suffrage.

The voters of the Union, who make and unmake constitutions, and upon whose will hang the destinies of our governments, can transmit their supreme authority to no successors save the coming generation of voters, who are the sole heirs of sovereign power. If that generation comes to its inheritance blinded by ignorance and corrupted by vice, the fall of the Republic will be certain and remediless.

The census has already sounded the alarm in the appalling figures which mark how dangerously high the tide of illiteracy has risen among our voters and their children.

To the South this question is of supreme importance. But the responsibility for the existence of slavery did not rest upon the South alone. The nation itself is responsible for the extension of the suffrage, and is under special obligations to aid in removing the illiteracy which it has added to the voting population. For the North and South alike there is but one remedy. All the constitutional power of the nation and of the States and all the volunteer forces of the people should be surrendered to meet this danger by the savory influence of universal education.

It is the high privilege and sacred duty of those now living to educate their successors and fit them, by intelligence and virtue, for the inheritance which awaits them.

In this beneficent work sections and races should be forgotten and partisanship should be unknown. Let our people find a new meaning in the divine oracle which declares that "a little child shall lead them," for our own little children will soon control the destinies of the Republic.

My countrymen, we do not now differ in our judgment concerning the controversies of past generations, and fifty years hence our children will not be divided in their opinions concerning our controversies. They will surely bless their fathers and their fathers' God that the Union was preserved, that slavery was overthrown, and that both races were made equal before the law. We may hasten or we may retard, but we can not prevent, the final reconciliation. Is it not possible for us now to make a truce with time by anticipating and accepting its inevitable verdict?

Enterprises of the highest importance to our moral and material well-being unite us and offer ample employment of our best powers. Let all our people, leaving behind them the battlefields of dead issues, move forward and in their strength of liberty and the restored Union win the grander victories of peace.

The prosperity which now prevails is without parallel in our history. Fruitful seasons have done much to secure it, but they have not done all. The preservation of the public credit and the resumption of specie payments, so successfully attained by the Administration of my predecessors, have enabled our people to secure the blessings which the seasons brought.

By the experience of commercial nations in all ages it has been found that gold and silver afford the only safe foundation for a monetary system. Confusion has recently been created by variations in the relative value of the two metals, but I confidently believe that arrangements can be made between the leading commercial nations which will secure the general use of both metals. Congress should provide that the compulsory coinage of silver now required by law may not disturb our monetary system by driving either metal out of circulation. If possible, such an adjustment should be made that the purchasing power of every coined dollar will be exactly equal to its debt-paying power in all the markets of the world.

The chief duty of the National Government in connection with the currency of the country is to coin money and declare its value. Grave doubts have been entertained whether Congress is authorized by the Constitution to make any form of paper money legal tender. The present issue of United States notes has been sustained by the necessities of war; but such paper should depend for its value and currency upon its convenience in use and its prompt redemption in coin at the will of the holder, and not upon its compulsory circulation. These notes are not money, but promises to pay money. If the holders demand it, the promise should be kept.

The refunding of the national debt at a lower rate of interest should be accomplished without compelling the withdrawal of the national-bank notes, and thus disturbing the business of the country.

I venture to refer to the position I have occupied on financial questions during a long service in Congress, and to say that time and experience have strengthened the opinions I have so often expressed on these subjects.

The finances of the Government shall suffer no detriment which it may be possible for my Administration to prevent.

The interests of agriculture deserve more attention from the Government than they have yet received. The farms of the United States afford homes and employment for more than one-half our people, and furnish much the largest part of all our exports. As the Government lights our coasts for the protection of mariners and the benefit of commerce, so it should give to the tillers of the soil the best lights of practical science and experience.

Our manufactures are rapidly making us industrially independent, and are opening to capital and labor new and profitable fields of employment. Their steady and healthy growth should still be matured. Our facilities for transportation should be promoted by the continued improvement of our harbors and great interior waterways and by the increase of our tonnage on the ocean.

The development of the world's commerce has led to an urgent demand for shortening the great sea voyage around Cape Horn by constructing ship canals or railways across the isthmus which unites the continents. Various plans to this end have been suggested and will need consideration, but none of them has been sufficiently matured to warrant the United States in extending pecuniary aid. The subject, however, is one which will immediately engage the attention of the Government with a view to a thorough protection to American interests. We will urge no narrow policy nor seek peculiar or exclusive privileges in any commercial route; but, in the language of my predecessor, I believe it to be the right "and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interest."

The Constitution guarantees absolute religious freedom. Congress is prohibited from making any law respecting an establishment of religion or prohibiting the free exercise thereof. The Territories of the United States are subject to the direct legislative authority of Congress, and hence the General Government is responsible for any violation of the Constitution in any of them. It is therefore a reproach to the Government that in the most populous of the Territories the constitutional guaranty is not enjoyed by the people and the authority of Congress is set at naught. The Mormon Church not only offends the moral sense of manhood by sanctioning polygamy, but prevents the administration of justice through ordinary instrumentalities of law.

In my judgment it is the duty of Congress, while respecting to the uttermost the conscientious convictions and religious scruples of every citizen, to prohibit within its jurisdiction all criminal practices, especially of that class which destroy the family relations and endanger social order. Nor can any ecclesiastical organization be safely permitted to usurp in the smallest degree the functions and powers of the National Government.

The civil service can never be placed on a satisfactory basis until it is regulated by law. For the good of the service itself, for the protection of those who are intrusted with the appointing power against the waste of time and obstruction to the public business caused by the inordinate pressure for place, and for the protection of incumbents against intrigue and wrong, I shall at the proper time ask Congress to fix the tenure of the minor offices of the several Executive Departments and prescribe the grounds upon which removals shall be made during the terms for which incumbents have been appointed.

Finally, acting always within the authority and limitations of the Constitution, invading neither the rights of the States nor the reserved rights of the people, it will be the purpose of my Administration to maintain the authority of the nation in all places within its jurisdiction; to enforce obedience to all the laws of the Union in the interests of the people; to demand rigid economy in all the expenditures of the Government, and to require the honest and faithful service of all executive officers, remembering that the offices were created, not for the benefit of incumbents or their supporters, but for the service of the Government.

And now, fellow-citizens, I am about to assume the great trust which you have committed to my hands. I appeal to you for that earnest and thoughtful support which makes this Government in fact, as it is in law, a government of the people.

I shall greatly rely upon the wisdom and patriotism of Congress and of those who may share with me the responsibilities and duties of administration, and, above all, upon our efforts to promote the welfare of this great people and their Government I reverently invoke the support and blessings of Almighty God.

MARCH 4, 1881.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, April 6, 1881.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 18th ultimo, a report of the Secretary of State, with accompanying papers, in relation to the capitulations of the Ottoman Empire.

JAMES A. GARFIELD.

EXECUTIVE MANSION,
Washington, May 20, 1881.

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, with accompanying papers, submitted in response to the Senate resolution of the 12th ultimo, touching the case of Michael P. Boyton.*

JAMES A. GARFIELD.

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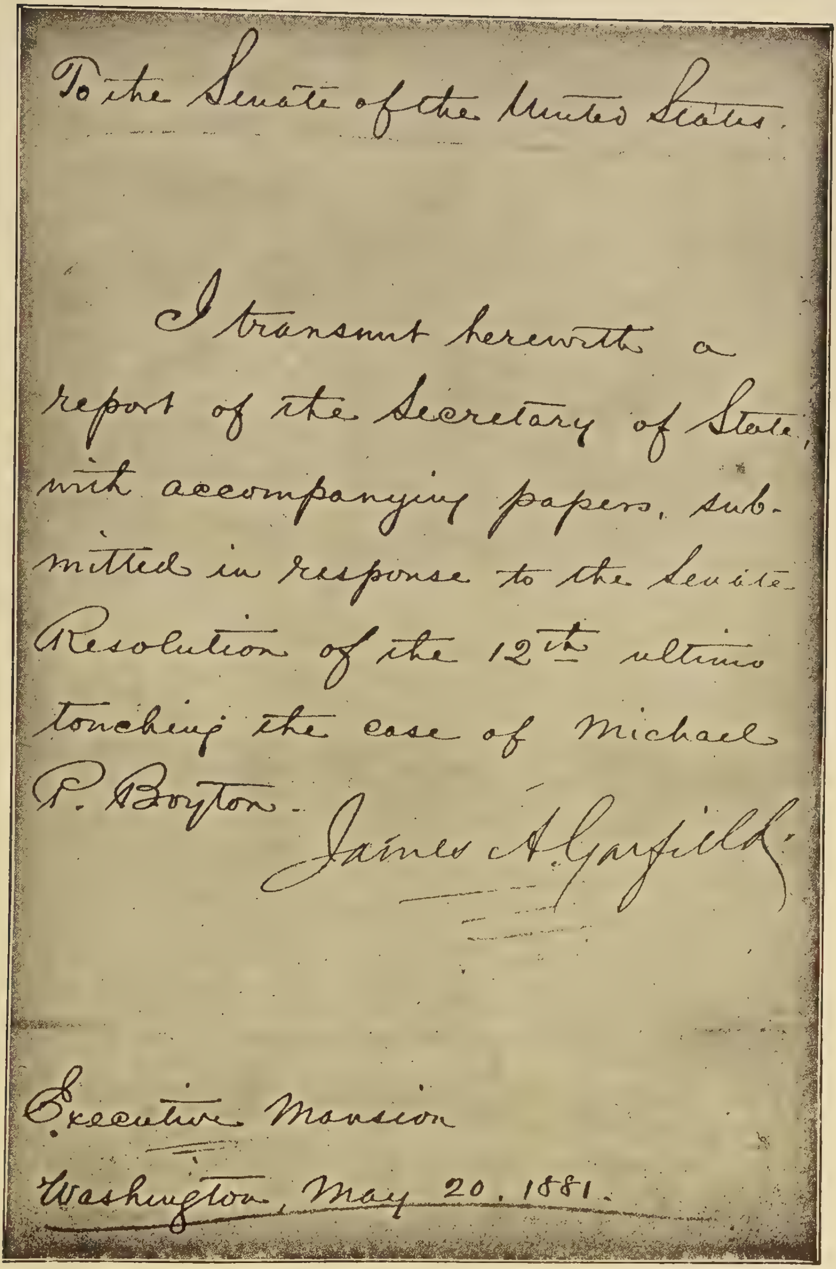
*Arrested and imprisoned by authorities of Great Britain.



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James A. Garfield.

Executive Mansion

Washington, May 20, 1881.

A NOTE TO THE SENATE BY PRESIDENT GARFIELD.

EXECUTIVE ORDER.

EXECUTIVE MANSION,
Washington, May 28, 1881.

DEAR SIR:* I am directed by the President to inform you that the several Departments of the Government will be closed on Monday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

Very respectfully,
J. STANLEY BROWN, *Private Secretary.*

DEATH OF PRESIDENT GARFIELD.

ANNOUNCEMENT OF THE ASSASSINATION TO REPRESENTATIVES OF THE UNITED STATES ABROAD.

[From the Washington Post, July 3, 1881.]

DEPARTMENT OF STATE,
Washington, July 2, 1881.

JAMES RUSSELL LOWELL,
Minister, etc., London:

The President of the United States was shot this morning by an assassin named Charles Guiteau. The weapon was a large-sized revolver. The President had just reached the Baltimore and Potomac station, at about 9.20, intending, with a portion of his Cabinet, to leave on the limited express for New York. I rode in the carriage with him from the Executive Mansion and was walking by his side when he was shot. The assassin was immediately arrested, and the President was conveyed to a private room in the station building and surgical aid at once summoned. He has now, at 10.20, been removed to the Executive Mansion. The surgeons, on consultation, regard his wounds as very serious, though not necessarily fatal. His vigorous health gives strong hopes of his recovery. He has not lost consciousness for a moment. Inform our ministers in Europe.

JAMES G. BLAINE, *Secretary of State.*

PUBLIC ANNOUNCEMENT OF DEATH BY THE PHYSICIANS.

[From the New York Herald, September 20, 1881.]

ELBERON, N. J., *September 19—11.30 p. m.*

The President died at thirty-five minutes past 10 p. m. After the bulletin was issued at half past 5 this evening the President continued in much the same condition as during the afternoon, the pulse varying from 102 to 106, with rather increased force and volume. After taking nourishment he fell into a quiet sleep about thirty-five minutes before his death, and while asleep his pulse ran to 120 and was somewhat more feeble. At ten minutes after 10 o'clock he awoke, complaining of severe pain over the region of the heart, and almost immediately became unconscious, and ceased to breathe at twenty-five minutes to 11.

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*Addressed to the heads of the Executive Departments, etc.

D. W. BLISS.
FRANK H. HAMILTON.
D. HAYES AGNEW.

ANNOUNCEMENT TO THE VICE-PRESIDENT.

[From the New-York Times, September 20, 1881.]

[LONG BRANCH, N. J., *September 19, 1881.*]

Hon. CHESTER A. ARTHUR,
No. 123 Lexington Avenue, New York:

It becomes our painful duty to inform you of the death of President Garfield and to advise you to take the oath of office as President of the United States without delay. If it concur with your judgment, we will be very glad if you will come here on the earliest train to-morrow morning.

WILLIAM WINDOM,
Secretary of the Treasury.
WILLIAM H. HUNT,
Secretary of the Navy.
THOMAS L. JAMES,
Postmaster-General.
WAYNE MACVEAGH
Attorney-General.
S. J. KIRKWOOD,
Secretary of the Interior.

[The Secretaries of State and of War were absent from Long Branch.]

REPLY OF THE VICE-PRESIDENT.

[From the Evening Star, Washington, September 20, 1881.]

NEW YORK, *September 20, 1881.*[*]

I have your message announcing the death of President Garfield. Permit me to renew through you the expression of sorrow and sympathy which I have already telegraphed to Attorney-General MacVeagh. In accordance with your suggestion, I have taken the oath of office as President before the Hon. John R. Brady, justice of the supreme court of the State of New York. I will soon advise you further in regard to the other suggestion in your telegram.

C. A. ARTHUR.

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[*] Addressed to the Cabinet.

ANNOUNCEMENT TO REPRESENTATIVES OF THE UNITED STATES ABROAD.

[From the Sun, New York, September 21, 1881.]

[LONG BRANCH, N. J., *September 20, 1881.*]

LOWELL, *Minister, London:*

James A. Garfield, President of the United States, died at Elberon, N. J., last night at ten minutes before 11 o'clock. For nearly eighty days he suffered great pain, and during the entire period exhibited extraordinary patience, fortitude, and Christian resignation. The sorrow throughout the country is deep and universal. Fifty millions of people stand as mourners by his bier. Today, at his residence in the city of New York, Chester A. Arthur, Vice-President, took the oath of office as President, to which he succeeds by virtue of the Constitution. President Arthur has entered upon the discharge of his duties. You will formally communicate these facts to the British Government and transmit this dispatch by telegraph to the American ministers on the Continent for like communication to the Governments to which they are respectively accredited.

BLAINE, *Secretary.*

ANNOUNCEMENT TO REPRESENTATIVES OF FOREIGN GOVERNMENTS IN THE UNITED STATES.

[From official records, Department of State.]

DEPARTMENT OF STATE,
Washington, September 20, 1881.

SIR: It is my sad duty to announce to you that the illness of the President of the United States, which you have followed with an anxiety similar of our own and a sympathy which you have repeatedly testified to this Department during the sorrowful period that has passed since he was shot by an assassin on the 2d of July, terminated last evening, when he expired at thirty-five minutes past 10 o'clock.

As soon as the order and details of the funeral ceremonies are arranged you will be duly informed thereof.

ROBERT R. HITT,
Acting Secretary.

ANNOUNCEMENT TO THE ARMY.

[From official records, War Department.]

GENERAL ORDERS, No. 71.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 20, 1881.

I. The following order of the Secretary of War announces to the Army the death of James A. Garfield, President of the United States:

WAR DEPARTMENT, *September 20, 1881.*

With profound sorrow the Secretary of War announces to the Army that James A. Garfield, President of the United States, died at Elberon,

N. J., at twenty-five minutes before 11 in the evening of September 19, 1881.

The great grief which is felt by the nation at the untimely death of the President will be especially felt by the Army, in whose service he bore so distinguished a part during the War of the Rebellion. In him the Army has lost a beloved Commander in Chief, friend, and former comrade.

Proper honors will be paid to the memory of the late Chief Magistrate of the nation at headquarters of each military department and division and at each military station.

The General of the Army will give the necessary instructions for carrying this order into effect.

ROBT. T. LINCOLN, *Secretary of War.*

II. On the day after the receipt of this order at the headquarters of military commands in the field, and at each military station, and at the Military Academy at West Point, the troops and cadets will be paraded at 10 o'clock a. m. and the order read to them, after which all labor for the day will cease.

At dawn of day thirteen guns will be fired at each military post, and afterwards at intervals of thirty minutes between the rising and setting sun a single gun, and at the close of the day a national salute of thirty-eight guns.

The national flag will be displayed at half-staff at the headquarters of the several military divisions and departments and at all military stations until the remains of the late Chief Magistrate are consigned to their final resting place at Cleveland, Ohio, at 2 p. m. on the 26th instant.

The officers of the Army of the United States will wear the badge of mourning on the left arm and on their swords and the colors of the regiments will be draped in mourning for the period of six months.

III. The following officers of the Army will, with a like number of officers of the Navy selected for the purpose, compose the guard of honor and accompany the remains of their late Commander in Chief from the national capital to Cleveland, Ohio, and continue with them until they are consigned to their final resting place: The General of the Army, Major-General Winfield S. Hancock, Quartermaster-General M. C. Meigs, Adjutant-General R. C. Drum, Inspector-General D. B. Sacket.

By command of General Sherman:

R. C. DRUM, *Adjutant-General.*

[From official records, War Department.]

GENERAL ORDERS, No. 72.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 20, 1881.

The following order has been received from the War Department:

The Secretary of War announces to the Army that upon the death of James A. Garfield, President of the United States, Chester A. Arthur, Vice-President, on the 20th day of September, 1881, at his residence in the city of New York, took the oath of office as President of the United States, to which office he succeeded by virtue of the Constitution. President Arthur has entered upon the discharge of his official duties.

ROBT. T. LINCOLN,
Secretary of War.

By command of General Sherman:

R. C. DRUM, *Adjutant-General.*

ANNOUNCEMENT TO THE NAVY.

[From official records, Navy Department.]

GENERAL ORDER.

NAVY DEPARTMENT,
Washington, September 20, 1881.

The officers and men of the Navy and of the Marine Corps of the United States are hereby notified that President Garfield died at Long Branch on the 19th instant at 10 o'clock and 40 minutes p. m. Under the Constitution and laws of the Government Chester A. Arthur, then Vice-President, duly took the oath as President of the United States, and has entered upon the duties of that office. As President and Commander in Chief of the Navy of the United States he will be obeyed and respected by all persons connected with this Department. It is becoming that at a time when the heart of the nation is heavy with grief a proper expression should be given to the respect and affection so sincerely and universally entertained for the memory of the wise, patriotic, and noble Chief Magistrate who has departed this life under circumstances so distressing. To this end the officers of the Navy will see to it that all honors and ceremonies befitting the occasion are observed by their respective commands in accordance with the regulations of the service.

The offices of the Department will remain closed for all business during the time the remains of the President shall lie in state at the Capitol.

WILLIAM H. HUNT,
Secretary of the Navy.

[From official records, Navy Department.]

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, September 23, 1881.

Struck down by the hand of a cowardly assassin, in the day of his vigor and usefulness, on the eve of departure from the capital in search of much-needed rest from the toils and cares of office, our Chief Magistrate, President, and Commander in Chief, James A. Garfield, after bearing with heroic fortitude untold suffering, succumbed to the dread summons and yielded up his life at Elberon, N. J., on the evening of the 19th instant. The nation mourns its loss. The funeral services will take place at Cleveland, Ohio, on Monday, the 26th instant. It is eminently fit and proper that special honors should be paid to the memory of the late President on that day, and the Department therefore directs that at all naval stations and on board all vessels in commission the flags shall be at half-mast from sunrise to sunset and a gun fired every half hour during that period. The period of mourning by half-masted colors will cease at sunset. On foreign stations this order will be carried out on the day after its receipt. The navy-yards will be closed and all work suspended during the day. Officers of the Navy and Marine Corps will, as a further mark of respect, wear crape on the left arm and sword hilt for six months from the 20th instant.

ED. T. NICHOLS,
Acting Secretary of the Navy.

ACTION OF SENATORS AND OF REPRESENTATIVES ELECT IN WASHINGTON.

The members of the Senate and members elect of the House of Representatives in Washington held meetings on September 22 and selected the following gentlemen to accompany the remains of the late President to Cleveland, Ohio:

Senators Henry B. Anthony, of Rhode Island; John Sherman, of Ohio; Thomas F. Bayard, of Delaware; John J. Ingalls, of Kansas; James L. Pugh, of Alabama; Henry W. Blair, of New Hampshire; Johnson N. Camden, of West Virginia, and John T. Morgan, of Alabama.

Representatives elect John Randolph Tucker, of Virginia; John A. Kasson, of Iowa; Samuel J. Randall, of Pennsylvania; Frank Hiscock, of New York; Benjamin Wilson, of West Virginia; John R. Thomas, of Illinois; Amos Townsend, of Ohio, and Charles M. Shelley, of Alabama.

ORDERS OF THE HEADS OF THE EXECUTIVE DEPARTMENTS.

[From the National Republican, Washington, September 21, 1881.]

LONG BRANCH, *September 20.**

It has been agreed here by all the heads of Departments that the Departments shall remain closed from this time until the conclusion of President Garfield's funeral ceremonies in Washington, and it is understood that you will notify the acting heads of all Departments of this arrangement. * * *

ROBERT T. LINCOLN,
Secretary of War.

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*Sent to the chief clerk of the War Department.

[From official records, Treasury Department.]

ORDER.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., September 20, 1881.

It is ordered, as a mark of respect to the memory of President Garfield, that the Treasury Department be closed during this day.

H. F. FRENCH,
Acting Secretary.

[From official records, Treasury Department.]

NOTICE.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., September 21, 1881.

As a token of respect to the memory of the late President, James A. Garfield, the Treasury Department will be closed to public business to-day at 12 o'clock noon, and remain closed Thursday and Friday, the 22d and 23d instant.

H. F. FRENCH,
Acting Secretary.

[From official records, Treasury Department.]

ORDER.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., September 24, 1881.

In accordance with the proclamation of the President* appointing Monday, the 26th day of September, as a day of humiliation and mourning, being the day of the burial of the late President, James A. Garfield, it is ordered that this Department be closed during that day.

H. F. FRENCH,
Acting Secretary.

[From official records, Post-Office Department.]

POST-OFFICE DEPARTMENT,
Washington, D. C., September 20, 1881.

Ordered, That, owing to the death of President James A. Garfield, this Department be closed for all public business until after the funeral party shall have left Washington for Ohio.

RICHD. A. ELMER,
Acting Postmaster-General.

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*See p. 4621.

[From official records, Post-Office Department.]

POST-OFFICE DEPARTMENT,
Washington, D. C., September 24, 1881.

Ordered, That, in conformity with the action of other executive branches of the Government, this Department be closed on Monday next, the 26th instant, and that the day be fittingly observed by all persons connected therewith as the occasion of the consignment to their final resting place of the remains of the late beloved and honored Chief Magistrate of the United States, James A. Garfield.

RICHD. A. ELMER, *Acting Postmaster-General.*

[From official records, Interior Department.]

ORDER.

DEPARTMENT OF THE INTERIOR,
Washington, September 20, 1881.

As a token of respect to the memory of the late President, James A. Garfield, the Department of the Interior and the several bureaus and offices thereof will be closed to public business until Saturday, the 24th instant.

A. BELL, *Acting Secretary.*

[From official records, Interior Department.]

ORDER.

DEPARTMENT OF THE INTERIOR,
Washington, September 24, 1881.

In pursuance of the proclamation of the President of the United States* appointing Monday, the 26th instant, as a day of humiliation and mourning for the death of the late President, this Department and the several bureaus and offices thereof will be closed to business on that day.

A. BELL, *Acting Secretary.*

FUNERAL ANNOUNCEMENT TO THE PUBLIC.

[From the New-York Times, September 21, 1881.]

[ELBERON, N. J., *September 20, 1881.*]

The remains of the late President of the United States will be removed to Washington by special train on Wednesday, September 21, leaving Elberon at 10 a. m. and reaching Washington at 4 p. m. Detachments from the United States Army and from the marines of the Navy will be in attendance on arrival at Washington to perform escort duty. The remains will lie in state in the Rotunda of the Capitol on Thursday and

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*See p. 4621.

Friday, and will be guarded by deputations from the Executive Departments and by officers of the Senate and House of Representatives.

Religious ceremonies will be observed in the Rotunda at 3 o'clock on Friday afternoon. At 5 o'clock the remains will be transferred to the funeral car and be removed to Cleveland, Ohio, *via* the Pennsylvania Railroad, arriving there Saturday at 2 p. m. In Cleveland the remains will lie in state until Monday at 2 p. m., and be then interred in Lakeview Cemetery. No ceremonies are expected in the cities and towns along the route of the funeral train beyond the tolling of bells. Detailed arrangements for final sepulture are committed to the municipal authorities of Cleveland, under the direction of the executive of the State of Ohio.

JAMES G. BLAINE,
Secretary of State.

OFFICIAL ARRANGEMENTS FOR THE FUNERAL.

[From official records, War Department.]

ORDER OF ARRANGEMENT FOR THE FUNERAL AT WASHINGTON CITY OF JAMES A. GARFIELD, LATE PRESIDENT OF THE UNITED STATES.

The remains of the late President will lie in state in the Rotunda of the Capitol until 3 o'clock p. m. on Friday, the 23d instant, when they will be borne to the depot of the Baltimore and Potomac Railroad and thence conveyed to their final resting place at Cleveland, Ohio.

ORDER OF PROCESSION.

FUNERAL ESCORT.

(Under command of Brevet Major-General R. B. Ayres.)

Battalion of District of Columbia Volunteers.
Battalion of marines.
Battalion of foot artillery.
Battery of light artillery.

CIVIC PROCESSION.

(Under command of Chief Marshal Colonel Robert Boyd.)

Clergymen in attendance.
Physicians who attended the late President.

Guard of honor.	Hearse.	Guard of honor.
Bearers.		Bearers.

(The officers of the Army, Navy, and Marine Corps in the city, and not on duty with the troops forming the escort, in full dress, will form, right in front, on either side of the hearse—the Army on the right and the Navy and Marine Corps on the left—and compose the guard of honor.)

Family of the late President.
Relatives of the late President.
Ex-Presidents of the United States.
The President.
The Cabinet ministers.
The Diplomatic Corps.

The Chief Justice and Associate Justices of the Supreme Court of the United States
The Senators of the United States.
Members of the United States House of Representatives.
Governors of States and Territories and Commissioners of the District of Columbia.
The judges of the Court of Claims, the judiciary of the District of Columbia, and judges of the United States courts.
The Assistant Secretaries of State, Treasury, and Interior Departments.
The Assistant Postmasters-General.
The Solicitor-General and the Assistant Attorneys-General.
Organized societies.
Citizens and strangers.

The troops designated to form the escort will assemble on the east side of the Capitol and form line fronting the eastern portico of the Capitol precisely at 2 o'clock p. m. on Friday, the 23d instant.

The procession will move on the conclusion of the religious services at the Capitol (appointed to commence at 3 o'clock), when minute guns will be fired at the navy-yard by the vessels of war which may be in port, at Fort Myer, and by the battery of artillery stationed near the Capitol for that purpose. At the same hour the bells of the several churches, fire-engine houses, and the schoolhouses will be tolled.

The civic procession will form in accordance with directions to be given by the chief marshal.

The officers of the Army and Navy selected to compose the guard of honor and accompany the remains to their final resting place will assemble at 4 p. m. at the Baltimore and Potomac Railroad depot, where they will receive the body of the late President and deposit it in the car prepared for the purpose.

ROBERT T. LINCOLN,
Secretary of War.
WILLIAM H. HUNT,
Secretary of the Navy.
J. DENT,
President Board of Commissioners District of Columbia.

[From the Washington Post, September 23, 1881.]

CIRCULAR.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1881.

The officers of the Army in this city not otherwise ordered for special duty on this occasion will assemble in full uniform at 3 p. m. on the 23d instant on the east front of the Capitol and form line, right in front, on the right of the hearse, to act as a guard of honor to the remains of the late President of the United States from the Capitol to the Baltimore and Potomac Railroad depot.

By command of General Sherman:

R. C. DRUM, *Adjutant-General.*

[From records in possession of Colonel Amos Webster.]

GENERAL ORDERS, NO. 22.

ADJUTANT-GENERAL'S OFFICE,
DISTRICT OF COLUMBIA MILITIA,
September 21, 1881.

Pursuant to orders from the honorable Secretary of War, the troops comprising the militia of the District of Columbia will assemble in full-dress uniform at 3 p. m. on the 21st instant on Sixth street NW., the right resting on Pennsylvania avenue, the left extended south, to take part in and form a portion of the escort to the remains of the late President, and will also hold themselves in readiness to participate at the funeral ceremonies on Friday, the 23d instant. The formation will be as follows on both occasions:

Washington Light Infantry Corps, Captain W. G. Moore.
Union Veteran Corps, Captain S. E. Thomason.
National Rifles, Captain J. O. P. Burnside.
Washington Light Guards, Lieutenant F. S. Hodgson.
Butler Zouaves, Captain C. B. Fisher.
Capital City Guards, Captain W. S. Kelly.
Washington Cadets, Captain C. A. Dolan.

The officers of Light Battery A, District of Columbia Artillery, will report to adjutant-general District of Columbia Militia for duty as aids on both occasions.

A. WEBSTER,
Adjutant-General District of Columbia Militia.

[From records in possession of Colonel Amos Webster.]

GENERAL ORDER NO. 23.

ADJUTANT-GENERAL'S OFFICE,
DISTRICT OF COLUMBIA MILITIA,
September 22, 1881.

Pursuant to orders from the honorable Secretary of War, and in compliance with general order No. 22 from these headquarters, all the organizations comprising the militia of the District of Columbia will assemble in full-dress uniform at 2 p. m. on the 23d instant on the ground east of the Capitol, right resting on B street N., the left extending south, facing west. The formation will be the same as designated in general order No. 22. Upon their arrival on the ground designated each commanding officer will report in person to the commanding officer of the District Volunteers.

By order of the Commissioners of the District of Columbia:

AMOS WEBSTER,
Adjutant-General District of Columbia Militia, Commanding.

[From the Washington Post, September 23, 1881.]

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, September 22, 1881.

The officers of the Navy and Marine Corps on duty and resident in Washington will assemble to-morrow, the 23d instant, at 3 o'clock p. m., at the east front of the Capitol, in full dress, to accompany the remains of the late President Garfield to the Baltimore and Potomac Railroad depot.

Commander H. L. Howison, United States Navy, is hereby appointed adjutant, and will direct the formation of the officers of the Navy and Marine Corps.

ED. T. NICHOLS,
Acting Secretary of the Navy.

[From the Medical Record, New York, 1881, vol. 20, p. 364.]

OFFICIAL BULLETIN OF THE AUTOPSY ON THE BODY OF PRESIDENT GARFIELD.

The following official bulletin was prepared by the surgeons who have been in attendance upon the late President:

By previous arrangement a *post-mortem* examination of the body of President Garfield was made this afternoon in the presence and with the assistance of Drs. Hamilton, Agnew, Bliss, Barnes, Woodward, Reyburn, Andrew H. Smith, of Elberon, and Acting Assistant Surgeon D. S. Lamb, of the Army Medical Museum, of Washington. The operation was performed by Dr. Lamb. It was found that the ball, after fracturing the right eleventh rib, had passed through the spinal column in front of the spinal cord, fracturing the body of the first lumbar vertebra, driving a number of small fragments of bone into the adjacent soft parts, and lodging below the pancreas, about 2½ inches to the left of the spine and behind the peritoneum, where it had become completely encysted.

The immediate cause of death was secondary hemorrhage from one of the mesenteric arteries adjoining the track of the ball, the blood rupturing the peritoneum and nearly a pint escaping into the abdominal cavity. This hemorrhage is believed to have been the cause of the severe pain in the lower part of the chest complained of just before death. An abscess cavity 6 inches by 4 in dimensions was found in the vicinity of the gall bladder, between the liver and the transverse colon, which were strongly adherent. It did not involve the substance of the liver, and no communication was found between it and the wound.

A long suppurating channel extended from the external wound, between the loin muscles and the right kidney, almost to the right groin. This channel, now known to be due to the burrowing of pus from the wound, was supposed during life to have been the track of the ball.

On an examination of the organs of the chest evidences of severe bronchitis were found on both sides, with broncho-pneumonia of the lower portions of the right lung, and, though to a much less extent, of the left. The lungs contained no abscesses and the heart no clots. The liver was enlarged and fatty, but not from abscesses. Nor were any found in any other organ except the left kidney, which contained near its surface a small abscess about one-third of an inch in diameter.

In reviewing the history of the case in connection with the autopsy it is quite evident that the different suppurating surfaces, and especially the fractured, spongy tissue of the vertebræ, furnish a sufficient explanation of the septic condition which existed.

D. W. BLISS.
J. K. BARNES.
J. J. WOODWARD.
ROBERT REYBURN.
FRANK H. HAMILTON.
D. HAYES AGNEW.
ANDREW H. SMITH.
D. S. LAMB.

[SEPTEMBER 20, 1881.]

FORMAL OATH OF OFFICE ADMINISTERED TO PRESIDENT ARTHUR.

President Chester A. Arthur took the formal oath of office as President of the United States in the room of the Vice-President, in the Capitol, Thursday, September 22, 1881, at 12.10 o'clock p. m. Chief Justice Morrison R. Waite administered the oath prescribed by the Constitution in the presence of the members of the Cabinet, the Justices of the Supreme Court, ex-Presidents Grant and Hayes, General W. T. Sherman, and a number of Senators and Representatives.

[For Inaugural Address of President Arthur see pp. 33–34.]

ACTION OF CONGRESS.

President Arthur, in his first annual message to the first session of the Forty-seventh Congress, thus announced the death of his predecessor:

> An appalling calamity has befallen the American people since their chosen representatives last met in the halls where you are now assembled. We might else recall with unalloyed content the rare prosperity with which throughout the year the nation has been blessed. Its harvests have been plenteous; its varied industries have thriven; the health of its people has been preserved; it has maintained with foreign governments the undisturbed relations of amity and peace. For these manifestations of His favor we owe to Him who holds our destiny in His hands the tribute of our grateful devotion.

To that mysterious exercise of His will which has taken from us the loved and illustrious citizen who was but lately the head of the nation we bow in sorrow and submission.

The memory of his exalted character, of his noble achievements, and of his patriotic life will be treasured forever as a sacred possession of the whole people.

The announcement of his death drew from foreign governments and peoples tributes of sympathy and sorrow which history will record as signal tokens of the kinship of nations and the federation of mankind.

The Senate on December 6, 1881, adopted the following resolution:

Resolved, That a committee of six Senators be appointed on the part of the Senate to join such committee as may be appointed on the part of the House to consider and report by what token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the nation to the event of the decease of the late President, James A. Garfield, and that so much of the message of the President as relates to that melancholy event be referred to said committee.

The committee on the part of the Senate, having been subsequently increased to eight, comprised the following-named gentlemen:

John Sherman, of Ohio; George H. Pendleton, of Ohio; Henry L. Dawes, of Massachusetts; Elbridge G. Lapham, of New York; Thomas F. Bayard, of Delaware; John T. Morgan, of Alabama; Omar D. Conger, of Michigan, and Joseph E. Brown, of Georgia.

The House of Representatives on December 6, 1881, passed the following resolution:

Resolved, That a committee of one member from each State represented in this House be appointed on the part of the House to join such committee as may be appointed on the part of the Senate to consider and report by what token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the nation to the event of the decease of their late President, James Abram Garfield, and that so much of the message of the President as refers to that melancholy event be referred to said committee.

The committee on the part of the House of Representatives comprised the following-named gentlemen:

William McKinley, jr., of Ohio; Romualdo Pacheco, of California; James B. Belford, of Colorado; John T. Wait, of Connecticut; William H. Forney, of Alabama; Poindexter Dunn, of Arkansas; Edward L. Martin, of Delaware; Robert H. M. Davidson, of Florida; Alexander H. Stephens, of Georgia; Joseph G. Cannon, of Illinois; Godlove S. Orth, of Indiana; John A. Kasson, of Iowa; John A. Anderson, of Kansas; John G. Carlisle, of Kentucky; Randall L. Gibson, of Louisiana; Nelson Dingley, jr., of Maine; Robert M. McLane, of Maryland; Benjamin W. Harris, of Massachusetts; Roswell G. Horr, of Michigan; Mark H. Dunnell, of Minnesota; Charles E. Hooker, of Mississippi; Nicholas Ford, of Missouri; Edward K. Valentine, of Nebraska; George W. Cassidy, of Nevada; Joshua G. Hall, of New Hampshire; John Hill, of New Jersey; Samuel S. Cox, of New York; Robert B. Vance, of North Carolina; Melvin C. George, of Oregon; Charles O'Neill, of Pennsylvania; Jonathan

Chace, of Rhode Island; D. Wyatt Aiken, of South Carolina; Augustus H. Pettibone, of Tennessee; Roger Q. Mills, of Texas; Charles H. Joyce, of Vermont; J. Randolph Tucker, of Virginia; Benjamin Wilson, of West Virginia, and Charles G. Williams, of Wisconsin.

The following concurrent resolutions were adopted by both Houses of Congress on December 21, 1881:

Whereas the melancholy event of the violent and tragic death of James Abram Garfield, late President of the United States, having occurred during the recess of Congress, and the two Houses sharing in the general grief and desiring to manifest their sensibility upon the occasion of the public bereavement: Therefore

Be it resolved by the House of Representatives (*the Senate concurring*), That the two Houses of Congress will assemble in the Hall of the House of Representatives on a day and hour to be fixed and announced by the joint committee, and that in the presence of the two Houses there assembled an address upon the life and character of James Abram Garfield, late President of the United States, be pronounced by Hon. James G. Blaine, and that the President of the Senate *pro tempore* and the Speaker of the House of Representatives be requested to invite the President and ex-Presidents of the United States, the heads of the several Departments, the judges of the Supreme Court, the representatives of the foreign governments near this Government, the governors of the several States, the General of the Army, and the Admiral of the Navy, and such officers of the Army and Navy as have received the thanks of Congress who may then be at the seat of Government to be present on the occasion.

And be it further resolved, That the President of the United States be requested to transmit a copy of these resolutions to Mrs. Lucretia R. Garfield, and to assure her of the profound sympathy of the two Houses of Congress for her deep personal affliction and of their sincere condolence for the late national bereavement.

February 1, 1882, both Houses of Congress adopted the following resolution:

Resolved by the House of Representatives (*the Senate concurring*), That Monday, the 27th day of February, 1882, be set apart for the memorial services upon the late President, James A. Garfield.

[For proclamation of President Arthur appointing, in consequence of the death of James Abram Garfield, late President of the United States, a day of humiliation and mourning, see p.4621.]

QUESTIONS.

1. What political strife indirectly caused the assassination of Garfield? (See Stalwarts, Encyclopedic Index.)

2. What military service did Garfield render? (See Biography, page 4593 and following.)

3. What two notable speeches did Garfield make in the House of Representatives? Page 4595.

SUGGESTIONS.

Garfield was assassinated on September 19th, 1881, after serving as President only from March 4th of the same year.

The only public utterance of consequence which he had opportunity to give was his Inaugural Address. This address disclosed the great scholar that Garfield was, and the reading of it in its entirety is well worth while, because it came long enough after the Civil War to enable him to review that war, and to give a concise history of the period. Page 4596.

In this Inaugural Address he discusses ably the question of finances, civil service, the proposed canal, and many other vital questions.

The condition of the times did not call for an enunciation of Foreign Policy by Garfield, and he did not express his views, except in the brief reference to the commerce of the world in connection with the canal discussion. Page 4610.

NOTE.

For further suggestions on Garfield's administration see Garfield, James A., Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

Chester A. Arthur

September 19, 1881, to March 4, 1885

SEE ENCYCLOPEDIC INDEX.

The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.

HOME ON LEXINGTON AVENUE, NEW YORK CITY, OF CHESTER A. ARTHUR

With reproduction of official portrait, by Huntington, from the White House Collection

C. A. Arthur.

MARY ARTHUR MCELROY presided at the White House when her brother, Chester Alan Arthur, succeeded to the Executive office upon the death of President Garfield. In 1859 he had married Ellen Lewis Herndon, daughter of Commander William Lewis Herndon, who, by order of the Government, explored the Amazon River in 1857, but she died in January, 1880, less than one year previous to his election as Vice-President. Mrs. McElroy was specially adapted to fill the position of mistress of the White House from her natural tact and previous social experience. Her residence at the White House was therefore marked by graceful and dignified hospitality and the task of entertainment was greatly lightened by the extreme geniality of the President. Like her brother, she was of fine and imposing appearance. After the death of Mr. Arthur, his only daughter, Ellen Herndon Arthur, lived in Albany with her aunt, Mrs. McElroy, the son, Chester A. Arthur, Jr., residing chiefly abroad.

ARTHUR

President Arthur will be distinguished both for what he did and what he refrained from doing. The strain and intensity of public feeling, the vehemence of the angry and vindicative passions of the time, demanded the rarest of negative as well as positive qualities. His calm and even course of government allayed excitement and appealed to the better judgment of the people. He spoke vigorously for the reform and improvement of the Civil Service, and when Congress, acting upon his suggestions, enacted the law, he constructed the machinery for its execution, which has since accomplished most satisfactory, though as yet incomplete results. On questions of currency and finance he met the needs of public and private credit, and the best commercial sentiment of the country. He knew the necessity for efficient coast defenses, and a navy equal to the requirements of the age. He keenly felt the weakness of our commercial marine, and the total destruction of the proud position we had formerly held among the maritime Nations of the world, and did what he could to move Congress to wise and patriotic legislation.

The centennial of the final surrender at Yorktown, which marked the end of the Revolutionary War, and the close of English rule, was celebrated with fitting splendor and appropriateness. The presence of the descendants of Lafayette and Steuben as the guests of the Nation, typified the undying gratitude of the Republic for the services rendered by the great French patriot and his countrymen, and by the famous German soldier. But the President, with characteristic grace and tact, determined that the ceremonies should also officially record that all feelings of hostility against the mother country were dead. He directed that the celebration should be closed by a salute fired in honor of the British flag, as he felicitously said, "in recognition of the friendly relations so long and so happily subsisting between Great Britain and the United States, in the trust and confidence of peace and good-will between the two countries for all the centuries to come," and then he added the sentence, "and especially as a mark of the profound respect entertained by the American people for the illustrious sovereign and gracious lady who sits upon the British throne."

General Grant was dying of a lingering and most painful disease. Manifold and extraordinary misfortunes had befallen him, and his last days were clouded with great mental distress and doubt. The old soldier was most anxious to know that his countrymen freed him and would hold his memory sacred from all blame in connection with the men and troubles with which he had become so strangely, innocently and most inextricably involved. Whether his life should suddenly go out in the darkness, or be spared for an indefinite period was largely dependent upon some act which would convey to him the confidence and admiration of the people. Again were illustrated both General Arthur's strong friendship and its always quick and correct appreciation of the expression of popular sentiment. By timely suggestions to Congress, speedily acted upon, he happily closed the Administration by affixing, as its last official act, his signature to the nomination, which was confirmed with tumultuous cheers, creating Ulysses S. Grant General of the Army. The news flashed to the hero, with affectionate message, rescued him from the grave, to enjoy for months the blissful assurance that comrades and countrymen had taken his character and career into their tender and watchful keeping.

When the bullet of Guiteau struck down President Garfield, there came a perfect whirlwind of resentment and revenge, and General Arthur, by the very necessity of his position, became the object of most causeless and cruel suspicion and assault. But in that hour the real greatness of his character became resplendent. The politician gave place to the statesman, and the partisan to the President.

The months during which President Garfield lay dying by the sea at Elberon were phenomenal in the history of the world. The sufferer became a member of every household in the land, and in all countries, tongues and creeds, sympathetic prayers ascended to God for the recovery of the great ruler beyond the ocean who had sprung from the common people and illustrated the possibilities for the individual where all men are equal before the law.

While he who was to succeed him if he died, though in no place and in no sense charged with sympathy with the assassination, yet was made to feel a National resentment and distrust which threatened his usefulness and even his life. Whether he spoke or was silent he was alike misrepresented and misunderstood.

When the end came for General Garfield, Arthur entered the White House as he had taken the oath of office—alone. A weaker man would have succumbed, a narrower one have seized upon the patronage and endeavored to build up his power by strengthening his faction. But the lineage and training of Arthur stood in this solemn and critical hour for patriotism and manliness.

Chauncey M. Depew.

Chester A. Arthur

CHESTER ALAN ARTHUR was born in Fairfield, Franklin County, Vt., October 5, 1830. He was the eldest son of Rev. William Arthur and Malvina Stone. His father, a Baptist minister, was born in Ireland and emigrated to the United States. Chester prepared for college at Union Village in Greenwich and at Schenectady, N. Y., and in 1845 entered the sophomore class of Union College. While in his sophomore year taught school for a term at Schaghticoke, Rensselaer County, and a second term at the same place during his last year in college. Joined the Psi Upsilon Society, and was one of six in a class of one hundred who were elected members of the Phi Beta Kappa Society, the condition of admission being high scholarship. After his graduation in 1848, at the age of 18, attended a law school at Ballston Spa, N. Y.; returned to Lansingburg, N. Y., where his father then resided, and continued his legal studies. Was principal of an academy at North Pownal, Bennington County, Vt., in 1851. In 1853 entered the law office of Erastus D. Culver in New York City as a student; was admitted to the bar during the same year, and at once became a member of the firm of Culver, Parker & Arthur. Having formed from early associations sentiments of hostility to slavery, as a law student and after his admission to the bar became an earnest advocate for the slaves. Became a Henry Clay Whig, and cast his first vote in 1852 for Winfield Scott for President. Participated in the first Republican State convention, at Saratoga, and took an active part in the Frémont campaign of 1856. October 29, 1859, married Ellen Lewis Herndon, of Fredericksburg, Va. January 1, 1861, was appointed on Governor Edwin D. Morgan's staff as engineer in chief, with the rank of brigadier-general. Had previously taken part in the organization of the State militia, and had been judge-advocate of the Second Brigade. When the civil war began, in April, 1861, he became acting quartermaster-general, and as such began in New York City the work of preparing and forwarding the State's quota of troops. Was called to Albany in December for consultation concerning the defenses of New York Harbor. Summoned a board of engineers on December 24, of which he became a member, and on January 18, 1862, submitted an elaborate report on the condition of the national forts both on the seacoast and on the inland border of the State. Was appointed inspector-general February 10, 1862, with the rank of brigadier-general, and in May inspected the New York troops at Fredericksburg and on the Chickahominy. In June, 1862, Governor Morgan ordered his return from the Army of the Potomac, and he acted as secretary of the meeting of the governors of the loyal States which was held June 28 in New York City. At Governor Morgan's request, General Arthur resumed his former work, resigned as inspector-general, and on July 10 was appointed quartermaster-general. Retired from the office December 31, 1862, when Horatio Seymour succeeded Governor Morgan. Between 1862 and 1872 was engaged in continuous and active law practice—in partnership with Henry G. Gardner from 1862 till 1867, then for five years alone, and on January 1, 1872, formed the firm of Arthur, Phelps & Knevals. Was for a short time counsel for the department of assessments and taxes, but resigned the place. Continued during all this period to take an active part in politics. Was chairman in 1868 of the Central Grant Club of New York, and became chairman of the executive committee of the Republican State committee in 1879. Was appointed collector of the port of New York by President Grant on November 20, 1871; was reappointed on December 17, 1875, and confirmed by the Senate on the same day without reference to a committee, a courtesy never before extended to an appointee who had not been a Senator; retained the office until July 11, 1878, when he was suspended by President Hayes. On retiring from the office of collector resumed the practice of law with the firm of Arthur, Phelps, Knevals & Ransom. Advocated in 1880 the nomination of General Grant to succeed President Hayes. Was a delegate at large to the Chicago convention, which met June 2, 1880. After the nomination of General Garfield for the Presidency a general desire arose in the convention to nominate for Vice-President some advocate of General Grant and a resident of New York State. The New York delegation indicated their preference for General Arthur, and he was nominated on the first ballot. Was elected Vice-President November 2, 1880; took the oath of office March 4, 1881, and presided over the extraordinary session of the Senate that then began, which was very exciting. That body being equally divided, he was frequently called upon to exercise the right of casting the controlling vote. President Garfield was shot July 2, 1881, and died September 19. His Cabinet announced his death to the Vice-President, then in New York, and at their suggestion he took the oath as President on the 20th at his residence in New York City before Judge John R. Brady, of the New York supreme court. On the 22d the oath was formally administered again in the Vice-President's room in the Capitol at Washington by Chief Justice Waite. President Arthur's name was presented to the Republican Presidential convention which met at Chicago June 3, 1884. On the first ballot he received 278 votes against 540 for all others, 276 on the second, 274 on the third, and 207 on the fourth, which resulted in the nomination of James G. Blaine. In the canvass which ensued Mr. Arthur rendered all possible assistance to the Republican cause and candidates. Died suddenly at his residence in New York City November 18, 1886, and was buried in Rural Cemetery at Albany.

INAUGURAL ADDRESS.

For the fourth time in the history of the Republic its Chief Magistrate has been removed by death. All hearts are filled with grief and horror at the hideous crime which has darkened our land, and the memory of the murdered President, his protracted sufferings, his unyielding fortitude, the example and achievements of his life, and the pathos of his death will forever illumine the pages of our history.

For the fourth time the officer elected by the people and ordained by the Constitution to fill a vacancy so created is called to assume the Executive chair. The wisdom of our fathers, foreseeing even the most dire possibilities, made sure that the Government should never be imperiled because of the uncertainty of human life. Men may die, but the fabrics of our free institutions remain unshaken. No higher or more assuring proof could exist of the strength and permanence of popular government than the fact that though the chosen of the people be struck down his constitutional successor is peacefully installed without shock or strain except the sorrow which mourns the bereavement. All the noble aspirations of my lamented predecessor which found expression in his life, the measures devised and suggested during his brief Administration to correct abuses, to enforce economy, to advance prosperity, and to promote the general welfare, to insure domestic security and maintain friendly and honorable relations with the nations of the earth, will be garnered in the hearts of the people; and it will be my earnest endeavor to profit, and to see that the nation shall profit, by his example and experience.

Prosperity blesses our country. Our fiscal policy is fixed by law, is well grounded and generally approved. No threatening issue mars our foreign intercourse, and the wisdom, integrity, and thrift of our people may be trusted to continue undisturbed the present assured career of peace, tranquillity, and welfare. The gloom and anxiety which have enshrouded the country must make repose especially welcome now. No demand for speedy legislation has been heard; no adequate occasion is apparent for an unusual session of Congress. The Constitution defines the functions and powers of the executive as clearly as those of either of the otner two departments of the Government, and he must answer for the just exercise of the discretion it permits and the performance of the duties it imposes. Summoned to these high duties and responsibilities and profoundly conscious of their magnitude and gravity, I assume the trust imposed by the Constitution, relying for aid on divine guidance and the virtue, patriotism, and intelligence of the American people.

SEPTEMBER 22, 1881.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in His inscrutable wisdom it has pleased God to remove from us the illustrious head of the nation, James A. Garfield, late President of the United States; and

Whereas it is fitting that the deep grief which fills all hearts should manifest itself with one accord toward the throne of infinite grace, and that we should bow before the Almighty and seek from Him that consolation in our affliction and that sanctification of our loss which He is able and willing to vouchsafe:

Now, therefore, in obedience to sacred duty and in accordance with the desire of the people, I, Chester A. Arthur, President of the United States of America, do hereby appoint Monday next, the 26th day of September—on which day the remains of our honored and beloved dead will be consigned to their last resting place on earth—to be observed throughout the United States as a day of humiliation and mourning; and I earnestly recommend all the people to assemble on that day in their respective places of divine worship, there to render alike their tribute of sorrowful submission to the will of Almighty God and of reverence and love for the memory and character of our late Chief Magistrate.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, the 22d day of September, A. D. 1881, and of the Independence of the United States of America the one hundred and sixth.

CHESTER A. ARTHUR.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at an early day to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Chester A. Arthur, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on Monday, the 10th day of October next, at 12 o'clock noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the 23d day of September, A. D. 1881, and of the Independence of the United States the one hundred and sixth.

[SEAL.]

CHESTER A. ARTHUR.

By the President:

JAMES G. BLAINE,
Secretary of State

SPECIAL MESSAGES.

WASHINGTON, *October 12, 1881.*

To the Senate of the United States:

I transmit herewith to the Senate a communication from the Secretary of State, submitting the text, in the English and French languages, of the proceedings of the International Sanitary Conference, provided for by the joint resolution of the Senate and House of Representatives of the United States of America, held at Washington in the early part of 1881.

CHESTER A. ARTHUR.

To the Senate.

I transmit herewith the report of the Secretary of State in answer to the resolution of the Senate of October 14, with accompanying document.*

CHESTER A. ARTHUR.

OCTOBER 24, 1881.

WASHINGTON, *October 26, 1881.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and His Majesty the King of Roumania, defining the rights, immunities, and privileges of consular officers, signed on the 17th day of June, 1881.

CHESTER A. ARTHUR.

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*Letter of instruction to United States ministers in Europe relative to protecting the rights and interests of the United States in the projected interoceanic canal at Panama.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

It has long been the pious custom of our people, with the closing of the year, to look back upon the blessings brought to them in the changing course of the seasons and to return solemn thanks to the all-giving source from whom they flow. And although at this period, when the falling leaf admonishes us that the time of our sacred duty is at hand, our nation still lies in the shadow of a great bereavement, and the mourning which has filled our hearts still finds its sorrowful expression toward the God before whom we but lately bowed in grief and supplication, yet the countless benefits which have showered upon us during the past twelvemonth call for our fervent gratitude and make it fitting that we should rejoice with thankfulness that the Lord in His infinite mercy has most signally favored our country and our people. Peace without and prosperity within have been vouchsafed to us, no pestilence has visited our shores, the abundant privileges of freedom which our fathers left us in their wisdom are still our increasing heritage; and if in parts of our vast domain sore affliction has visited our brethren in their forest homes, yet even this calamity has been tempered and in a manner sanctified by the generous compassion for the sufferers which has been called forth throughout our land. For all these things it is meet that the voice of the nation should go up to God in devout homage.

Wherefore I, Chester A. Arthur, President of the United States, do recommend that all the people observe Thursday, the 24th day of November instant, as a day of national thanksgiving and prayer, by ceasing, so far as may be, from their secular labors and meeting in their several places of worship, there to join in ascribing honor and praise to Almighty God, whose goodness has been so manifest in our history and in our lives, and offering earnest prayers that His bounties may continue to us and to our children.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of November, A. D. 1881, and of the Independence of the United States the one hundred and sixth.

CHESTER A. ARTHUR.

By the President:

JAMES G. BLAINE,

Secretary of State.

EXECUTIVE ORDER.*

YORKTOWN, VA., *October 19, 1881.*

In recognition of the friendly relations so long and so happily subsisting between Great Britain and the United States, in the trust and confidence of peace and good will between the two countries for all the centuries to come, and especially as a mark of the profound respect entertained by the American people for the illustrious sovereign and gracious lady who sits upon the British throne

It is hereby ordered, That at the close of the ceremonies commemorative of the valor and success of our forefathers in their patriotic struggle for independence the British flag shall be saluted by the forces of the Army and Navy of the United States now at Yorktown.

The Secretary of War and the Secretary of the Navy will give orders accordingly.

CHESTER A. ARTHUR.

By the President:

JAMES G. BLAINE,
Secretary of State.

FIRST ANNUAL MESSAGE.

WASHINGTON, *December 6, 1881.*

To the Senate and House of Representatives of the United States:

An appalling calamity has befallen the American people since their chosen representatives last met in the halls where you are now assembled. We might else recall with unalloyed content the rare prosperity with which throughout the year the nation has been blessed. Its harvests have been plenteous; its varied industries have thriven; the health of its people has been preserved; it has maintained with foreign governments the undisturbed relations of amity and peace. For these manifestations of His favor we owe to Him who holds our destiny in His hands the tribute of our grateful devotion.

To that mysterious exercise of His will which has taken from us the loved and illustrious citizen who was but lately the head of the nation we bow in sorrow and submission.

The memory of his exalted character, of his noble achievements, and of his patriotic life will be treasured forever as a sacred possession of the whole people.

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*Read by the Secretary of State before the people assembled to celebrate the Yorktown Centennial.

The announcement of his death drew from foreign governments and peoples tributes of sympathy and sorrow which history will record as signal tokens of the kinship of nations and the federation of mankind.

The feeling of good will between our own Government and that of Great Britain was never more marked than at present. In recognition of this pleasing fact I directed, on the occasion of the late centennial celebration at Yorktown, that a salute be given to the British flag.

Save for the correspondence to which I shall refer hereafter in relation to the proposed canal across the Isthmus of Panama, little has occurred worthy of mention in the diplomatic relations of the two countries.

Early in the year the Fortune Bay claims were satisfactorily settled by the British Government paying in full the sum of £15,000, most of which has been already distributed. As the terms of the settlement included compensation for injuries suffered by our fishermen at Aspee Bay, there has been retained from the gross award a sum which is deemed adequate for those claims.

The participation of Americans in the exhibitions at Melbourne and Sydney will be approvingly mentioned in the reports of the two exhibitions, soon to be presented to Congress. They will disclose the readiness of our countrymen to make successful competition in distant fields of enterprise.

Negotiations for an international copyright convention are in hopeful progress.

The surrender of Sitting Bull and his forces upon the Canadian frontier has allayed apprehension, although bodies of British Indians still cross the border in quest of sustenance. Upon this subject a correspondence has been opened which promises an adequate understanding. Our troops have orders to avoid meanwhile all collisions with alien Indians.

The presence at the Yorktown celebration of representatives of the French Republic and descendants of Lafayette and of his gallant compatriots who were our allies in the Revolution has served to strengthen the spirit of good will which has always existed between the two nations.

You will be furnished with the proceedings of the Bimetallic Conference held during the summer at the city of Paris. No accord was reached, but a valuable interchange of views was had, and the conference will next year be renewed.

At the Electrical Exhibition and Congress, also held at Paris, this country was creditably represented by eminent specialists, who, in the absence of an appropriation, generously lent their efficient aid at the instance of the State Department. While our exhibitors in this almost distinctively American field of achievement have won several valuable awards, I recommend that Congress provide for the repayment of the personal expenses incurred in the public interest by the honorary commissioners and delegates.

No new questions respecting the status or our naturalized citizens in

Germany have arisen during the year, and the causes of complaint, especially in Alsace and Lorraine, have practically ceased through the liberal action of the Imperial Government in accepting our often-expressed views on the subject. The application of the treaty of 1868 to the lately acquired Rhenish provinces has received very earnest attention, and a definite and lasting agreement on this point is confidently expected. The participation of the descendants of Baron von Steuben in the Yorktown festivities, and their subsequent reception by their American kinsmen, strikingly evinced the ties of good will which unite the German people and our own.

Our intercourse with Spain has been friendly. An agreement concluded in February last fixes a term for the labors of the Spanish and American Claims Commission. The Spanish Government has been requested to pay the late awards of that Commission, and will, it is believed, accede to the request as promptly and courteously as on former occasions.

By recent legislation onerous fines have been imposed upon American shipping in Spanish and colonial ports for slight irregularities in manifests. One case of hardship is specially worthy of attention. The bark *Masonic*, bound for Japan, entered Manila in distress, and is there sought to be confiscated under Spanish revenue laws for an alleged shortage in her transshipped cargo. Though efforts for her relief have thus far proved unavailing, it is expected that the whole matter will be adjusted in a friendly spirit.

The Senate resolutions of condolence on the assassination of the Czar Alexander II were appropriately communicated to the Russian Government, which in turn has expressed its sympathy in our late national bereavement. It is desirable that our cordial relations with Russia should be strengthened by proper engagements assuring to peaceable Americans who visit the Empire the consideration which is due to them as citizens of a friendly state. This is especially needful with respect to American Israelites, whose classification with the native Hebrews has evoked energetic remonstrances from this Government.

A supplementary consular agreement with Italy has been sanctioned and proclaimed, which puts at rest conflicts of jurisdiction in the case of crimes on shipboard.

Several important international conferences have been held in Italy during the year. At the Geographical Congress of Venice, the Beneficence Congress of Milan, and the Hygienic Congress of Turin this country was represented by delegates from branches of the public service or by private citizens duly accredited in an honorary capacity. It is hoped that Congress will give such prominence to the results of their participation as they may seem to deserve.

The abolition of all discriminating duties against such colonial productions of the Dutch East Indies as are imported hither from Holland has been already considered by Congress. I trust that at the present session the matter may be favorably concluded.

The insecurity of life and property in many parts of Turkey has given rise to correspondence with the Porte looking particularly to the better protection of American missionaries in the Empire. The condemned murderer of the eminent missionary Dr. Justin W. Parsons has not yet been executed, although this Government has repeatedly demanded that exemplary justice be done.

The Swiss Government has again solicited the good offices of our diplomatic and consular agents for the protection of its citizens in countries where it is not itself represented. This request has, within proper limits, been granted.

Our agents in Switzerland have been instructed to protest against the conduct of the authorities of certain communes in permitting the emigration to this country of criminals and other objectionable persons. Several such persons, through the cooperation of the commissioners of emigration at New York, have been sent back by the steamers which brought them. A continuance of this course may prove a more effectual remedy than diplomatic remonstrance.

Treaties of commerce and navigation and for the regulation of consular privileges have been concluded with Roumania and Servia since their admission into the family of European States.

As is natural with contiguous states having like institutions and like aims of advancement and development, the friendship of the United States and Mexico has been constantly maintained. This Government has lost no occasion of encouraging the Mexican Government to a beneficial realization of the mutual advantages which will result from more intimate commercial intercourse and from the opening of the rich interior of Mexico to railway enterprise. I deem it important that means be provided to restrain the lawlessness unfortunately so common on the frontier and to suppress the forays of the reservation Indians on either side of the Rio Grande.

The neighboring States of Central America have preserved internal peace, and their outward relations toward us have been those of intimate friendship. There are encouraging signs of their growing disposition to subordinate their local interests to those which are common to them by reason of their geographical relations.

The boundary dispute between Guatemala and Mexico has afforded this Government an opportunity to exercise its good offices for preventing a rupture between those States and for procuring a peaceable solution of the question. I cherish strong hope that in view of our relations of amity with both countries our friendly counsels may prevail.

A special envoy of Guatemala has brought to me the condolences of his Government and people on the death of President Garfield.

The Costa Rican Government lately framed an engagement with

Colombia for settling by arbitration the boundary question between those countries, providing that the post of arbitrator should be offered successively to the King of the Belgians, the King of Spain, and the President of the Argentine Confederation. The King of the Belgians has declined to act, but I am not as yet advised of the action of the King of Spain. As we have certain interests in the disputed territory which are protected by our treaty engagements with one of the parties, it is important that the arbitration should not without our consent affect our rights, and this Government has accordingly thought proper to make its views known to the parties to the agreement, as well as to intimate them to the Belgian and Spanish Governments.

The questions growing out of the proposed interoceanic waterway across the Isthmus of Panama are of grave national importance. This Government has not been unmindful of the solemn obligations imposed upon it by its compact of 1846 with Colombia, as the independent and sovereign mistress of the territory crossed by the canal, and has sought to render them effective by fresh engagements with the Colombian Republic looking to their practical execution. The negotiations to this end, after they had reached what appeared to be a mutually satisfactory solution here, were met in Colombia by a disavowal of the powers which its envoy had assumed and by a proposal for renewed negotiation on a modified basis.

Meanwhile this Government learned that Colombia had proposed to the European powers to join in a guaranty of the neutrality of the proposed Panama canal—a guaranty which would be in direct contravention of our obligation as the sole guarantor of the integrity of Colombian territory and of the neutrality of the canal itself. My lamented predecessor felt it his duty to place before the European powers the reasons which make the prior guaranty of the United States indispensable, and for which the interjection of any foreign guaranty might be regarded as a superfluous and unfriendly act.

Foreseeing the probable reliance of the British Government on the provisions of the Clayton-Bulwer treaty of 1850 as affording room for a share in the guaranties which the United States covenanted with Colombia four years before, I have not hesitated to supplement the action of my predecessor by proposing to Her Majesty's Government the modification of that instrument and the abrogation of such clauses thereof as do not comport with the obligations of the United States toward Colombia or with the vital needs of the two friendly parties to the compact.

This Government sees with great concern the continuance of the hostile relations between Chile, Bolivia, and Peru. An early peace between these Republics is much to be desired, not only that they may themselves be spared further misery and bloodshed, but because their continued antagonism threatens consequences which are, in my judgment, dangerous to the interests of republican government on this continent and calculated to destroy the best elements of our free and peaceful civilization.

As in the present excited condition of popular feeling in these countries there has been serious misapprehension of the position of the United States, and as separate diplomatic intercourse with each through independent ministers is sometimes subject, owing to the want of prompt reciprocal communication, to temporary misunderstanding, I have deemed it judicious at the present time to send a special envoy accredited to all and each of them, and furnished with general instructions which will, I trust, enable him to bring these powers into friendly relations.

The Government of Venezuela maintains its attitude of warm friendship and continues with great regularity its payment of the monthly quota of the diplomatic debt. Without suggesting the direction in which Congress should act, I ask its attention to the pending questions affecting the distribution of the sums thus far received.

The relations between Venezuela and France growing out of the same debt have been for some time past in an unsatisfactory state, and this Government, as the neighbor and one of the largest creditors of Venezuela, has interposed its influence with the French Government with the view of producing a friendly and honorable adjustment.

I regret that the commercial interests between the United States and Brazil, from which great advantages were hoped a year ago, have suffered from the withdrawal of the American lines of communication between the Brazilian ports and our own.

Through the efforts of our minister resident at Buenos Ayres and the United States minister at Santiago, a treaty has been concluded between the Argentine Republic and Chile, disposing of the long-pending Patagonian boundary question. It is a matter of congratulation that our Government has been afforded the opportunity of successfully exerting its good influence for the prevention of disagreements between these Republics of the American continent.

I am glad to inform you that the treaties lately negotiated with China have been duly ratified on both sides and the exchange made at Peking. Legislation is necessary to carry their provisions into effect. The prompt and friendly spirit with which the Chinese Government, at the request of the United States, conceded the modification of existing treaties should secure careful regard for the interests and susceptibilities of that Government in the enactment of any laws relating to Chinese immigration.

Those clauses of the treaties which forbid the participation of citizens or vessels of the United States in the opium trade will doubtless receive your approval. They will attest the sincere interest which our people and Government feel in the commendable efforts of the Chinese Government to put a stop to this demoralizing and destructive traffic.

In relation both to China and Japan some changes are desirable in our present system of consular jurisdiction. I hope at some future time to lay before you a scheme for its improvement in the entire East.

The intimacy between our own country and Japan, the most advanced of the Eastern nations, continues to be cordial. I am advised that the Emperor contemplates the establishment of full constitutional government, and that he has already summoned a parliamentary congress for the purpose of effecting the change. Such a remarkable step toward complete assimilation with the Western system can not fail to bring Japan into closer and more beneficial relationship with ourselves as the chief Pacific power.

A question has arisen in relation to the exercise in that country of the judicial functions conferred upon our ministers and consuls. The indictment, trial, and conviction in the consular court at Yokohama of John Ross, a merchant seaman on board an American vessel, have made it necessary for the Government to institute a careful examination into the nature and methods of this jurisdiction.

It appeared that Ross was regularly shipped under the flag of the United States, but was by birth a British subject. My predecessor felt it his duty to maintain the position that during his service as a regularly shipped seaman on board an American merchant vessel Ross was subject to the laws of that service and to the jurisdiction of the United States consular authorities.

I renew the recommendation which has been heretofore urged by the Executive upon the attention of Congress, that after the deduction of such amount as may be found due to American citizens the balance of the indemnity funds heretofore obtained from China and Japan, and which are now in the hands of the State Department, be returned to the Governments of those countries.

The King of Hawaii, in the course of his homeward return after a journey around the world, has lately visited this country. While our relations with that Kingdom are friendly, this Government has viewed with concern the efforts to seek replenishment of the diminishing population of the islands from outward sources, to a degree which may impair the native sovereignty and independence, in which the United States was among the first to testify a lively interest.

Relations of unimpaired amity have been maintained throughout the year with the respective Governments of Austria-Hungary, Belgium, Denmark, Hayti, Paraguay and Uruguay, Portugal, and Sweden and Norway. This may also be said of Greece and Ecuador, although our relations with those States have for some years been severed by the withdrawal of appropriations for diplomatic representatives at Athens and Quito. It seems expedient to restore those missions, even on a reduced scale, and I decidedly recommend such a course with respect to Ecuador, which is likely within the near future to play an important part among the nations of the Southern Pacific.

At its last extra session the Senate called for the text of the Geneva convention for the relief of the wounded in war. I trust that this action foreshadows such interest in the subject as will result in the adhesion of the United States to that humane and commendable engagement.

I invite your attention to the propriety of adopting the new code of international rules for the prevention of collisions on the high seas and of conforming the domestic legislation of the United States thereto, so that no confusion may arise from the application of conflicting rules in the case of vessels of different nationalities meeting in tidal waters. These international rules differ but slightly from our own. They have been adopted by the Navy Department for the governance of the war ships of the United States on the high seas and in foreign waters, and, through the action of the State Department in disseminating the rules and in acquainting shipmasters with the option of conforming to them without the jurisdictional waters of the United States, they are now very generally known and obeyed.

The State Department still continues to publish to the country the trade and manufacturing reports received from its officers abroad. The success of this course warrants its continuance and such appropriation as may be required to meet the rapidly increasing demand for these publications. With special reference to the Atlanta Cotton Exposition, the October number of the reports was devoted to a valuable collection of papers on the cotton-goods trade of the world.

The International Sanitary Conference for which, in 1879, Congress made provision assembled in this city early in January last, and its sessions were prolonged until March. Although it reached no specific conclusions affecting the future action of the participant powers, the interchange of views proved to be most valuable. The full protocols of the sessions have been already presented to the Senate.

As pertinent to this general subject, I call your attention to the operations of the National Board of Health. Established by act of Congress approved March 3, 1879, its sphere of duty was enlarged by the act of June 2 in the same year. By the last-named act the board was required to institute such measures as might be deemed necessary for preventing the introduction of contagious or infectious diseases from foreign countries into the United States or from one State into another.

The execution of the rules and regulations prepared by the board and approved by my predecessor has done much to arrest the progress of epidemic disease, and has thus rendered substantial service to the nation.

The International Sanitary Conference, to which I have referred, adopted a form of a bill of health to be used by all vessels seeking to enter the ports of the countries whose representatives participated in its deliberations. This form has since been prescribed by the National Board of Health and incorporated with its rules and regulations, which have been approved by me in pursuance of law.

The health of the people is of supreme importance. All measures looking to their protection against the spread of contagious diseases and to the increase of our sanitary knowledge for such purposes deserve attention of Congress.

The report of the Secretary of the Treasury presents in detail a highly satisfactory exhibit of the state of the finances and the condition of the various branches of the public service administered by that Department.

The ordinary revenues from all sources for the fiscal year ending June 30, 1881, were:

From customs	$198, 159, 676.02
From internal revenue	135, 264, 385.51
From sales of public lands	2, 201, 863.17
From tax on circulation and deposits of national banks	8, 116, 115.72
From repayment of interest by Pacific Railway companies	810, 833.80
From sinking fund for Pacific Railway companies	805, 180.54
From customs fees, fines, penalties, etc.	1, 225, 514.86
From fees—consular, letters patent, and lands	2, 244, 983.98
From proceeds of sales of Government property	262, 174.00
From profits on coinage	3, 468, 485.61
From revenues of the District of Columbia	2, 016, 199.23
From miscellaneous sources	6, 206, 880.13
Total ordinary receipts	360, 782, 292.57

The ordinary expenditures for the same period were:

For civil expenses	$17, 941, 177.19
For foreign intercourse	1, 093, 954.92
For Indians	6, 514, 161.09
For pensions	50, 059, 279.62
For the military establishment, including river and harbor improvements and arsenals	40, 466, 460.55
For the naval establishment, including vessels, machinery, and improvements at navy-yards	15, 686, 671.66
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	41, 837, 280.57
For expenditures on account of the District of Columbia	3, 543, 912.03
For interest on the public debt	82, 508, 741.18
For premium on bonds purchased	1, 061, 248.78
Total ordinary expenditures	260, 712, 887.59

Leaving a surplus revenue of $100,069,404.98, which was applied as follows:

To the redemption of—	
Bonds for the sinking fund	$74, 371, 200.00
Fractional currency for the sinking fund	109, 001.05
Loan of February, 1861	7, 418, 000.00
Ten-forties of 1864	2, 016, 150.00
Five-twenties of 1862	18, 300.00
Five-twenties of 1864	3, 400.00
Five-twenties of 1865	37, 300.00
Consols of 1865	143, 150.00
Consols of 1867	959, 150.00
Consols of 1868	337, 400.00
Texan indemnity stock	1, 000.00
Old demand, compound-interest, and other notes	18, 330.00
And to the increase of cash in the Treasury	14, 637, 023.93
	100, 069, 404.98

The requirements of the sinking fund for the year amounted to $90,786,064.02, which sum included a balance of $49,817,128.78, not provided for during the previous fiscal year. The sum of $74,480,201.05 was applied to this fund, which left a deficit of $16,305,873.47. The increase of the revenues for 1881 over those of the previous year was $29,352,901.10. It is estimated that the receipts during the present fiscal year will reach $400,000,000 and the expenditures $270,000,000, leaving a surplus of $130,000,000 applicable to the sinking fund and the redemption of the public debt.

I approve the recommendation of the Secretary of the Treasury that provision be made for the early retirement of silver certificates and that the act requiring their issue be repealed. They were issued in pursuance of the policy of the Government to maintain silver at or near the gold standard, and were accordingly made receivable for all customs, taxes, and public dues. About sixty-six millions of them are now outstanding. They form an unnecessary addition to the paper currency, a sufficient amount of which may be readily supplied by the national banks.

In accordance with the act of February 28, 1878, the Treasury Department has monthly caused at least two millions in value of silver bullion to be coined into standard silver dollars. One hundred and two millions of these dollars have been already coined, while only about thirty-four millions are in circulation.

For the reasons which he specifies, I concur in the Secretary's recommendation that the provision for coinage of a fixed amount each month be repealed, and that hereafter only so much be coined as shall be necessary to supply the demand.

The Secretary advises that the issue of gold certificates should not for the present be resumed, and suggests that the national banks may properly be forbidden by law to retire their currency except upon reasonable notice of their intention so to do. Such legislation would seem to be justified by the recent action of certain banks on the occasion referred to in the Secretary's report.

Of the fifteen millions of fractional currency still outstanding, only about eighty thousand has been redeemed the past year. The suggestion that this amount may properly be dropped from future statements of the public debt seems worthy of approval.

So also does the suggestion of the Secretary as to the advisability of relieving the calendar of the United States courts in the southern district of New York by the transfer to another tribunal of the numerous suits there pending against collectors.

The revenue from customs for the past fiscal year was $198,159,676.02, an increase of $11,637,611.42 over that of the year preceding. One hundred and thirty-eight million ninety-eight thousand five hundred and sixty-two dollars and thirty-nine cents of this amount was collected at the port of New York, leaving $50,251,113.63 as the amount collected at all the other ports of the country. Of this sum $47,977,137.63 was collected on sugar, melado, and molasses; $27,285,624.78 on wool and its manufactures; $21,462,534.34 on iron and steel and manufactures thereof; $19,038,665.81 on manufactures of silk; $10,825,115.21 on manufactures of cotton, and $6,469,643.04 on wines and spirits, making a total revenue from these sources of $133,058,720.81.

The expenses of collection for the past year were $6,419,345.20, an increase over the preceding year of $387,410.04. Notwithstanding the increase in the revenue from customs over the preceding year, the gross value of the imports, including free goods, decreased over $25,000,000. The most marked decrease was in the value of unmanufactured wool, $14,023,682, and in that of scrap and pig iron, $12,810,671. The value of imported sugar, on the other hand, showed an increase of $7,457,474; of steel rails, $4,345,521; of barley, $2,154,204, and of steel in bars, ingots, etc., $1,620,046.

Contrasted with the imports during the last fiscal year, the exports were as follows:

Domestic merchandise	$883,925,947
Foreign merchandise	18,451,399
Total	902,377,346
Imports of merchandise	642,664,628
Excess of exports over imports of merchandise	259,712,718
Aggregate of exports and imports	1,545,041,974

Compared with the previous year, there was an increase of $66,738,688 in the value of exports of merchandise and a decrease of $25,290,118 in the value of imports. The annual average of the excess of imports of merchandise over exports thereof for ten years previous to June 30, 1873, was $104,706,922, but for the last six years there has been an excess of exports over imports of merchandise amounting to $1,180,668,105, an annual average of $196,778,017. The specie value of the exports of domestic merchandise was $376,616,473 in 1870 and $883,925,947 in 1881, an increase of $507,309,474, or 135 per cent. The value of imports was $435,958,408 in 1870 and $642,664,628 in 1881, an increase of $206,706,220, or 47 per cent.

During each year from 1862 to 1879, inclusive, the exports of specie exceeded the imports. The largest excess of such exports over imports was reached during the year 1864, when it amounted to $92,280,929. But during the year ended June 30, 1880, the imports of coin and bullion exceeded the exports by $75,891,391, and during the last fiscal year the excess of imports over exports was $91,168,650.

In the last annual report of the Secretary of the Treasury the attention of Congress was called to the fact that $469,651,050 in 5 per cent bonds and $203,573,750 in 6 per cent bonds would become redeemable during the year, and Congress was asked to authorize the refunding of these bonds at a lower rate of interest. The bill for such refunding having failed to become a law, the Secretary of the Treasury in April last notified the holders of the $195,690,400 6 per cent bonds then outstanding that the bonds would be paid at par on the 1st day of July following, or that they might be "continued" at the pleasure of the Government, to bear interest at the rate of 3½ per cent per annum.

Under this notice $178,055,150 of the 6 per cent bonds were continued at the lower rate and $17,635,250 were redeemed.

In the month of May a like notice was given respecting the redemption or continuance of the $439,841,350 of 5 per cent bonds then outstanding, and of these $401,504,900 were continued at 3½ per cent per annum and $38,336,450 redeemed.

The 6 per cent bonds of the loan of February 8, 1861, and of the Oregon war debt, amounting together to $14,125,800, having matured during the year, the Secretary of the Treasury gave notice of his intention to redeem the same, and such as have been presented have been paid from the surplus revenues. There have also been redeemed at par $16,179,100 of the 3½ per cent "continued" bonds, making a total of bonds redeemed or which have ceased to bear interest during the year of $123,969,650.

The reduction of the annual interest on the public debt through these transactions is as follows:

By reduction of interest to 3½ per cent	$10,473,952.25
By redemption of bonds	6,352,340.00
Total	16,826,292.25

The 3½ per cent bonds, being payable at the pleasure of the Government, are available for the investment of surplus revenues without the payment of premiums.

Unless these bonds can be funded at a much lower rate of interest than they now bear, I agree with the Secretary of the Treasury that no legislation respecting them is desirable.

It is a matter for congratulation that the business of the country has been so prosperous during the past year as to yield by taxation a large surplus of income to the Government. If the revenue laws remain unchanged, this surplus must year by year increase, on account of the reduction of the public debt and its burden of interest and because of the rapid increase of our population. In 1860, just prior to the institution of our internal-revenue system, our population but slightly exceeded 30,000,000; by the census of 1880 it is now found to exceed 50,000,000. It is estimated that even if the annual receipts and expenditures should continue as at present the entire debt could be paid in ten years.

In view, however, of the heavy load of taxation which our people have already borne, we may well consider whether it is not the part of wisdom to reduce the revenues, even if we delay a little the payment of the debt.

It seems to me that the time has arrived when the people may justly demand some relief from their present onerous burden, and that by due economy in the various branches of the public service this may readily be afforded.

I therefore concur with the Secretary in recommending the abolition of all internal-revenue taxes except those upon tobacco in its various forms and upon distilled spirits and fermented liquors, and except also the special tax upon the manufacturers of and dealers in such articles. The retention of the latter tax is desirable as affording the officers of the Government a proper supervision of these articles for the prevention of fraud. I agree with the Secretary of the Treasury that the law imposing a stamp tax upon matches, proprietary articles, playing cards, checks, and drafts may with propriety be repealed, and the law also by which banks and bankers are assessed upon their capital and deposits. There seems to be a general sentiment in favor of this course.

In the present condition of our revenues the tax upon deposits is especially unjust. It was never imposed in this country until it was demanded by the necessities of war, and was never exacted, I believe, in any other country even in its greatest exigencies. Banks are required to secure their circulation by pledging with the Treasurer of the United States bonds of the General Government. The interest upon these bonds, which at the time when the tax was imposed was 6 per cent, is now in most instances 3½ per cent. Besides, the entire circulation was originally limited by law and no increase was allowable. When the existing banks had practically a monopoly of the business, there was force in the suggestion that for the franchise to the favored grantees the Government might very properly exact a tax on circulation; but for years the system has been free and the amount of circulation regulated by the public demand.

The retention of this tax has been suggested as a means of reimbursing the Government for the expense of printing and furnishing the circulating notes. If the tax should be repealed, it would certainly seem proper to require the national banks to pay the amount of such expense to the Comptroller of the Currency.

It is perhaps doubtful whether the immediate reduction of the rate of taxation upon liquors and tobacco is advisable, especially in view of the drain upon the Treasury which must attend the payment of arrears of pensions. A comparison, however, of the amount of taxes collected under the varying rates of taxation which have at different times prevailed suggests the intimation that some reduction may soon be made without material diminution of the revenue.

The tariff laws also need revision; but, that a due regard may be paid to the conflicting interests of our citizens, important changes should be made with caution. If a careful revision can not be made at this session, a commission such as was lately approved by the Senate and is now recommended by the Secretary of the Treasury would doubtless lighten the labors of Congress whenever this subject shall be brought to its consideration.

The accompanying report of the Secretary of War will make known to you the operations of that Department for the past year.

He suggests measures for promoting the efficiency of the Army without adding to the number of its officers, and recommends the legislation necessary to increase the number of enlisted men to 30,000, the maximum allowed by law.

This he deems necessary to maintain quietude on our ever-shifting frontier; to preserve peace and suppress disorder and marauding in new settlements; to protect settlers and their property against Indians, and Indians against the encroachments of intruders; and to enable peaceable immigrants to establish homes in the most remote parts of our country.

The Army is now necessarily scattered over such a vast extent of territory that whenever an outbreak occurs reenforcements must be hurried from many quarters, over great distances, and always at heavy cost for transportation of men, horses, wagons, and supplies.

I concur in the recommendations of the Secretary for increasing the Army to the strength of 30,000 enlisted men.

It appears by the Secretary's report that in the absence of disturbances on the frontier the troops have been actively employed in collecting the Indians hitherto hostile and locating them on their proper reservations; that Sitting Bull and his adherents are now prisoners at Fort Randall; that the Utes have been moved to their new reservation in Utah; that during the recent outbreak of the Apaches it was necessary to reenforce the garrisons in Arizona by troops withdrawn from New Mexico; and that some of the Apaches are now held prisoners for trial, while some have escaped, and the majority of the tribe are now on their reservation.

There is need of legislation to prevent intrusion upon the lands set apart for the Indians. A large military force, at great expense, is now required to patrol the boundary line between Kansas and the Indian Territory. The only punishment that can at present be inflicted is the forcible removal of the intruder and the imposition of a pecuniary fine, which in most cases it is impossible to collect. There should be a penalty by imprisonment in such cases.

The separate organization of the Signal Service is urged by the Secretary of War, and a full statement of the advantages of such permanent organization is presented in the report of the Chief Signal Officer. A detailed account of the useful work performed by the Signal Corps and the Weather Bureau is also given in that report.

I ask attention to the statements of the Secretary of War regarding the requisitions frequently made by the Indian Bureau upon the Subsistence Department of the Army for the casual support of bands and tribes of Indians whose appropriations are exhausted. The War Department should not be left, by reason of inadequate provision for the Indian Bureau, to contribute for the maintenance of Indians.

The report of the Chief of Engineers furnishes a detailed account of the operations for the improvement of rivers and harbors.

I commend to your attention the suggestions contained in this report in regard to the condition of our fortifications, especially our coast defenses, and recommend an increase of the strength of the Engineer Battalion, by which the efficiency of our torpedo system would be improved.

I also call your attention to the remarks upon the improvement of the South Pass of the Mississippi River, the proposed free bridge over the Potomac River at Georgetown, the importance of completing at an early day the north wing of the War Department building, and other recommendations of the Secretary of War which appear in his report.

The actual expenditures of that Department for the fiscal year ending June 30, 1881, were $42,122,201.39. The appropriations for the year 1882 were $44,889,725.42. The estimates for 1883 are $44,541,276.91.

The report of the Secretary of the Navy exhibits the condition of that branch of the service and presents valuable suggestions for its improvement. I call your especial attention also to the appended report of the Advisory Board which he convened to devise suitable measures for increasing the efficiency of the Navy, and particularly to report as to the character and number of vessels necessary to place it upon a footing commensurate with the necessities of the Government.

I can not too strongly urge upon you my conviction that every consideration of national safety, economy, and honor imperatively demands a thorough rehabilitation of our Navy.

With a full appreciation of the fact that compliance with the suggestions of the head of that Department and of the Advisory Board must involve a large expenditure of the public moneys, I earnestly recommend such appropriations as will accomplish an end which seems to me so desirable.

Nothing can be more inconsistent with true public economy than withholding the means necessary to accomplish the objects intrusted by the Constitution to the National Legislature. One of those objects, and one which is of paramount importance, is declared by our fundamental law to be the provision for the "common defense." Surely nothing is more essential to the defense of the United States and of all our people than the efficiency of our Navy.

We have for many years maintained with foreign governments the relations of honorable peace, and that such relations may be permanent is desired by every patriotic citizen of the Republic. But if we heed the teachings of history we shall not forget that in the life of every nation emergencies may arise when a resort to arms can alone save it from dishonor.

No danger from abroad now threatens this people, nor have we any cause to distrust the friendly professions of other governments. But for avoiding as well as for repelling dangers that may threaten us in the future we must be prepared to enforce any policy which we think wise to adopt.

We must be ready to defend our harbors against aggression; to protect, by the distribution of our ships of war over the highways of commerce, the varied interests of our foreign trade and the persons and property of our citizens abroad; to maintain everywhere the honor of our flag and the distinguished position which we may rightfully claim among the nations of the world.

The report of the Postmaster-General is a gratifying exhibit of the growth and efficiency of the postal service.

The receipts from postage and other ordinary sources during the past fiscal year were $36,489,816.58. The receipts from the money-order business were $295,581.39, making a total of $36,785,397.97. The expenditure for the fiscal year was $39,251,736.46. The deficit supplied out of the general Treasury was $2,481,129.35, or 6.3 per cent of the amount expended. The receipts were $3,469,918.63 in excess of those of the previous year, and $4,575,397.97 in excess of the estimate made two years ago, before the present period of business prosperity had fairly begun.

The whole number of letters mailed in this country in the last fiscal year exceeded 1,000,000,000.

The registry system is reported to be in excellent condition, having been remodeled during the past four years with good results. The amount of registration fees collected during the last fiscal year was $712,882.20, an increase over the fiscal year ending June 30, 1877, of $345,443.40.

The entire number of letters and packages registered during the year was 8,338,919, of which only 2,061 were lost or destroyed in transit.

The operations of the money-order system are multiplying yearly under the impulse of immigration, of the rapid development of the newer States and Territories, and the consequent demand for additional means of intercommunication and exchange.

During the past year 338 additional money-order offices have been established, making a total of 5,499 in operation at the date of this report.

During the year the domestic money orders aggregated in value $105,075,769.35.

A modification of the system is suggested, reducing the fees for money orders not exceeding $5 from 10 cents to 5 cents and making the maximum limit $100 in place of $50.

Legislation for the disposition of unclaimed money orders in the possession of the Post-Office Department is recommended, in view of the fact that their total value now exceeds $1,000,000.

The attention of Congress is again invited to the subject of establishing a system of savings depositories in connection with the Post-Office Department.

The statistics of mail transportation show that during the past year railroad routes have been increased in length 6,249 miles and in cost

$1,114,382, while steamboat routes have been decreased in length 2,182 miles and in cost $134,054. The so-called star routes have been decreased in length 3,949 miles and in cost $364,144.

Nearly all of the more expensive routes have been superseded by railroad service. The cost of the star service must therefore rapidly decrease in the Western States and Territories.

The Postmaster-General, however, calls attention to the constantly increasing cost of the railway mail service as a serious difficulty in the way of making the Department self-sustaining.

Our postal intercourse with foreign countries has kept pace with the growth of the domestic service. Within the past year several countries and colonies have declared their adhesion to the Postal Union. It now includes all those which have an organized postal service except Bolivia, Costa Rica, New Zealand, and the British colonies in Australia.

As has been already stated, great reductions have recently been made in the expense of the star-route service. The investigations of the Department of Justice and the Post-Office Department have resulted in the presentation of indictments against persons formerly connected with that service, accusing them of offenses against the United States. I have enjoined upon the officials who are charged with the conduct of the cases on the part of the Government, and upon the eminent counsel who before my accession to the Presidency were called to their assistance, the duty of prosecuting with the utmost vigor of the law all persons who may be found chargeable with frauds upon the postal service.

The Acting Attorney-General calls attention to the necessity of modifying the present system of the courts of the United States—a necessity due to the large increase of business, especially in the Supreme Court. Litigation in our Federal tribunals became greatly expanded after the close of the late war. So long as that expansion might be attributable to the abnormal condition in which the community found itself immediately after the return of peace, prudence required that no change be made in the constitution of our judicial tribunals. But it has now become apparent that an immense increase of litigation has directly resulted from the wonderful growth and development of the country. There is no ground for belief that the business of the United States courts will ever be less in volume than at present. Indeed, that it is likely to be much greater is generally recognized by the bench and bar.

In view of the fact that Congress has already given much consideration to this subject, I make no suggestion as to detail, but express the hope that your deliberations may result in such legislation as will give early relief to our overburdened courts.

The Acting Attorney-General also calls attention to the disturbance of the public tranquillity during the past year in the Territory of Arizona. A band of armed desperadoes known as "Cowboys," probably numbering from fifty to one hundred men, have been engaged for months in committing acts of lawlessness and brutality which the local authorities have been unable to repress. The depredations of these "Cowboys" have also extended into Mexico, which the marauders reach from the Arizona frontier. With every disposition to meet the exigencies of the case, I am embarrassed by lack of authority to deal with them effectually. The punishment of crimes committed within Arizona should ordinarily, of course, be left to the Territorial authorities; but it is worthy consideration whether acts which necessarily tend to embroil the United States with neighboring governments should not be declared crimes against the United States. Some of the incursions alluded to may perhaps be within the scope of the law (U. S. Revised Statutes, sec. 5286) forbidding "military expeditions or enterprises" against friendly states; but in view of the speedy assembling of your body I have preferred to await such legislation as in your wisdom the occasion may seem to demand.

It may perhaps be thought proper to provide that the setting on foot within our own territory of brigandage and armed marauding expeditions against friendly nations and their citizens shall be punishable as an offense against the United States.

I will add that in the event of a request from the Territorial government for protection by the United States against "domestic violence" this Government would be powerless to render assistance.

The act of 1795, chapter 36, passed at a time when Territorial governments received little attention from Congress, enforced this duty of the United States only as to the State governments. But the act of 1807, chapter 39, applied also to Territories. This law seems to have remained in force until the revision of the statutes, when the provision for the Territories was dropped. I am not advised whether this alteration was intentional or accidental; but as it seems to me that the Territories should be offered the protection which is accorded to the States by the Constitution, I suggest legislation to that end.

It seems to me, too, that whatever views may prevail as to the policy of recent legislation by which the Army has ceased to be a part of the *posse comitatus*, an exception might well be made for permitting the military to assist the civil Territorial authorities in enforcing the laws of the United States. This use of the Army would not seem to be within the alleged evil against which that legislation was aimed. From sparseness of population and other circumstances it is often quite impracticable to summon a civil posse in places where officers of justice require assistance and where a military force is within easy reach.

The report of the Secretary of the Interior, with accompanying documents, presents an elaborate account of the business of that Department. A summary of it would be too extended for this place. I ask your careful attention to the report itself.

Prominent among the matters which challenge the attention of Congress at its present session is the management of our Indian affairs.

While this question has been a cause of trouble and embarrassment from the infancy of the Government, it is but recently that any effort has been made for its solution at once serious, determined, consistent, and promising success.

It has been easier to resort to convenient makeshifts for tiding over temporary difficulties than to grapple with the great permanent problem, and accordingly the easier course has almost invariably been pursued.

It was natural, at a time when the national territory seemed almost illimitable and contained many millions of acres far outside the bounds of civilized settlements, that a policy should have been initiated which more than aught else has been the fruitful source of our Indian complications.

I refer, of course, to the policy of dealing with the various Indian tribes as separate nationalities, of relegating them by treaty stipulations to the occupancy of immense reservations in the West, and of encouraging them to live a savage life, undisturbed by any earnest and well-directed efforts to bring them under the influences of civilization.

The unsatisfactory results which have sprung from this policy are becoming apparent to all.

As the white settlements have crowded the borders of the reservations, the Indians, sometimes contentedly and sometimes against their will, have been transferred to other hunting grounds, from which they have again been dislodged whenever their new-found homes have been desired by the adventurous settlers.

These removals and the frontier collisions by which they have often been preceded have led to frequent and disastrous conflicts between the races.

It is profitless to discuss here which of them has been chiefly responsible for the disturbances whose recital occupies so large a space upon the pages of our history.

We have to deal with the appalling fact that though thousands of lives have been sacrificed and hundreds of millions of dollars expended in the attempt to solve the Indian problem, it has until within the past few years seemed scarcely nearer a solution than it was half a century ago. But the Government has of late been cautiously but steadily feeling its way to the adoption of a policy which has already produced gratifying results, and which, in my judgment, is likely, if Congress and the Executive accord in its support, to relieve us ere long from the difficulties which have hitherto beset us.

For the success of the efforts now making to introduce among the Indians the customs and pursuits of civilized life and gradually to absorb them into the mass of our citizens, sharing their rights and holden to their responsibilities, there is imperative need for legislative action.

My suggestions in that regard will be chiefly such as have been already called to the attention of Congress and have received to some extent its consideration.

First. I recommend the passage of an act making the laws of the various States and Territories applicable to the Indian reservations within their borders and extending the laws of the State of Arkansas to the portion of the Indian Territory not occupied by the Five Civilized Tribes.

The Indian should receive the protection of the law. He should be allowed to maintain in court his rights of person and property. He has repeatedly begged for this privilege. Its exercise would be very valuable to him in his progress toward civilization.

Second. Of even greater importance is a measure which has been frequently recommended by my predecessors in office, and in furtherance of which several bills have been from time to time introduced in both Houses of Congress. The enactment of a general law permitting the allotment in severalty, to such Indians, at least, as desire it, of a reasonable quantity of land secured to them by patent, and for their own protection made inalienable for twenty or twenty-five years, is demanded for their present welfare and their permanent advancement.

In return for such considerate action on the part of the Government, there is reason to believe that the Indians in large numbers would be persuaded to sever their tribal relations and to engage at once in agricultural pursuits. Many of them realize the fact that their hunting days are over and that it is now for their best interests to conform their manner of life to the new order of things. By no greater inducement than the assurance of permanent title to the soil can they be led to engage in the occupation of tilling it.

The well-attested reports of their increasing interest in husbandry justify the hope and belief that the enactment of such a statute as I recommend would be at once attended with gratifying results. A resort to the allotment system would have a direct and powerful influence in dissolving the tribal bond, which is so prominent a feature of savage life, and which tends so strongly to perpetuate it.

Third. I advise a liberal appropriation for the support of Indian schools, because of my confident belief that such a course is consistent with the wisest economy.

Even among the most uncultivated Indian tribes there is reported to be a general and urgent desire on the part of the chiefs and older members for the education of their children. It is unfortunate, in view of this fact, that during the past year the means which have been at the command of the Interior Department for the purpose of Indian instruction have proved to be utterly inadequate.

The success of the schools which are in operation at Hampton, Carlisle, and Forest Grove should not only encourage a more generous provision for the support of those institutions, but should prompt the establishment of others of a similar character.

They are doubtless much more potent for good than the day schools upon the reservation, as the pupils are altogether separated from the surroundings of savage life and brought into constant contact with civilization.

There are many other phases of this subject which are of great interest, but which can not be included within the becoming limits of this communication. They are discussed ably in the reports of the Secretary of the Interior and the Commissioner of Indian Affairs.

For many years the Executive, in his annual message to Congress, has urged the necessity of stringent legislation for the suppression of polygamy in the Territories, and especially in the Territory of Utah. The existing statute for the punishment of this odious crime, so revolting to the moral and religious sense of Christendom, has been persistently and contemptuously violated ever since its enactment. Indeed, in spite of commendable efforts on the part of the authorities who represent the United States in that Territory, the law has in very rare instances been enforced, and, for a cause to which reference will presently be made, is practically a dead letter.

The fact that adherents of the Mormon Church, which rests upon polygamy as its corner stone, have recently been peopling in large numbers Idaho, Arizona, and other of our Western Territories is well calculated to excite the liveliest interest and apprehension. It imposes upon Congress and the Executive the duty of arraying against this barbarous system all the power which under the Constitution and the law they can wield for its destruction.

Reference has been already made to the obstacles which the United States officers have encountered in their efforts to punish violations of law. Prominent among these obstacles is the difficulty of procuring legal evidence sufficient to warrant a conviction even in the case of the most notorious offenders.

Your attention is called to a recent opinion of the Supreme Court of the United States, explaining its judgment of reversal in the case of Miles, who had been convicted of bigamy in Utah. The court refers to the fact that the secrecy attending the celebration of marriages in that Territory makes the proof of polygamy very difficult, and the propriety is suggested of modifying the law of evidence which now makes a wife incompetent to testify against her husband.

This suggestion is approved. I recommend also the passage of an act providing that in the Territories of the United States the fact that a woman has been married to a person charged with bigamy shall not disqualify her as a witness upon his trial for that offense. I further recommend legislation by which any person solemnizing a marriage in any of the Territories shall be required, under stringent penalties for neglect or refusal, to file a certificate of such marriage in the supreme court of the Territory.

Doubtless Congress may devise other practicable measures for obviating the difficulties which have hitherto attended the efforts to suppress this iniquity. I assure you of my determined purpose to cooperate with you in any lawful and discreet measures which may be proposed to that end.

Although our system of government does not contemplate that the nation should provide or support a system for the education of our people, no measures calculated to promote that general intelligence and virtue upon which the perpetuity of our institutions so greatly depends have ever been regarded with indifference by Congress or the Executive.

A large portion of the public domain has been from time to time devoted to the promotion of education.

There is now a special reason why, by setting apart the proceeds of its sales of public lands or by some other course, the Government should aid the work of education. Many who now exercise the right of suffrage are unable to read the ballot which they cast. Upon many who had just emerged from a condition of slavery were suddenly devolved the responsibilities of citizenship in that portion of the country most impoverished by war. I have been pleased to learn from the report of the Commissioner of Education that there has lately been a commendable increase of interest and effort for their instruction; but all that can be done by local legislation and private generosity should be supplemented by such aid as can be constitutionally afforded by the National Government.

I would suggest that if any fund be dedicated to this purpose it may be wisely distributed in the different States according to the ratio of illiteracy, as by this means those localities which are most in need of such assistance will reap its special benefits.

The report of the Commissioner of Agriculture exhibits the results of the experiments in which that Department has been engaged during the past year and makes important suggestions in reference to the agricultural development of the country.

The steady increase of our population and the consequent addition to the number of those engaging in the pursuit of husbandry are giving to this Department a growing dignity and importance. The Commissioner's suggestions touching its capacity for greater usefulness deserve attention, as it more and more commends itself to the interests which it was created to promote.

It appears from the report of the Commissioner of Pensions that since 1860 789,063 original pension claims have been filed; 450,949 of these have been allowed and inscribed on the pension roll; 72,539 have been rejected and abandoned, being 13+ per cent of the whole number of claims settled.

There are now pending for settlement 265,575 original pension claims, 227,040 of which were filed prior to July 1, 1880. These, when allowed, will involve the payment of arrears from the date of discharge in case of an invalid and from date of death or termination of a prior right in all other cases.

From all the data obtainable it is estimated that 15 per cent of the number of claims now pending will be rejected or abandoned. This would show the probable rejection of 34,040 cases and the probable admission of about 193,000 claims, all of which involve the payment of arrears of pension.

With the present force employed, the number of adjudications remaining the same and no new business intervening, this number of claims (193,000) could be acted upon in a period of six years; and taking January 1, 1884, as a near period from which to estimate in each case an average amount of arrears, it is found that every case allowed would require for the first payment upon it the sum of $1,350. Multiplying this amount by the whole number of probable admissions gives $250,000,000 as the sum required for first payment. This represents the sum which must be paid upon claims which were filed before July 1, 1880, and are now pending and entitled to the benefits of the arrears act. From this amount ($250,000,000) may be deducted from ten to fifteen millions for cases where, the claimant dying, there is no person who under the law would be entitled to succeed to the pension, leaving $235,000,000 as the probable amount to be paid.

In these estimates no account has been taken of the 38,500 cases filed since June 30, 1880, and now pending, which must receive attention as current business, but which do not involve the payment of any arrears beyond the date of filing the claim. Of this number it is estimated that 86 per cent will be allowed.

As has been stated, with the present force of the Pension Bureau (675 clerks) it is estimated that it will take six years to dispose of the claims now pending.

It is stated by the Commissioner of Pensions that by an addition of 250 clerks (increasing the adjudicating force rather than the mechanical) double the amount of work could be accomplished, so that these cases could be acted upon within three years.

Aside from the considerations of justice which may be urged for a speedy settlement of the claims now on the files of the Pension Office, it is no less important on the score of economy, inasmuch as fully one-third of the clerical force of the office is now wholly occupied in giving attention to correspondence with the thousands of claimants whose cases have been on the files for the past eighteen years. The fact that a sum so enormous must be expended by the Government to meet demands for arrears of pensions is an admonition to Congress and the Executive to give cautious consideration to any similar project in the future. The great temptation to the presentation of fictitious claims afforded by the fact that the average sum obtained upon each application is $1,300 leads me to suggest the propriety of making some special appropriation for the prevention of fraud.

I advise appropriations for such internal improvements as the wisdom of Congress may deem to be of public importance. The necessity of improving the navigation of the Mississippi River justifies a special allusion to that subject. I suggest the adoption of some measure for the removal of obstructions which now impede the navigation of that great channel of commerce.

In my letter accepting the nomination for the Vice-Presidency I stated that in my judgment—

> No man should be the incumbent of an office the duties of which he is for any cause unfit to perform; who is lacking in the ability, fidelity, or integrity which a proper administration of such office demands. This sentiment would doubtless meet with general acquiescence, but opinion has been widely divided upon the wisdom and practicability of the various reformatory schemes which have been suggested and of certain proposed regulations governing appointments to public office.
>
> The efficiency of such regulations has been distrusted mainly because they have seemed to exalt mere educational and abstract tests above general business capacity and even special fitness for the particular work in hand. It seems to me that the rules which should be applied to the management of the public service may properly conform in the main to such as regulate the conduct of successful private business:
>
> Original appointments should be based upon ascertained fitness.
>
> The tenure of office should be stable.
>
> Positions of responsibility should, so far as practicable, be filled by the promotion of worthy and efficient officers.
>
> The investigation of all complaints and the punishment of all official misconduct should be prompt and thorough.

The views expressed in the foregoing letter are those which will govern my administration of the executive office. They are doubtless shared by all intelligent and patriotic citizens, however divergent in their opinions as to the best methods of putting them into practical operation.

For example, the assertion that "original appointments should be based upon ascertained fitness" is not open to dispute.

But the question how in practice such fitness can be most effectually ascertained is one which has for years excited interest and discussion. The measure which, with slight variations in its details, has lately been urged upon the attention of Congress and the Executive has as its principal feature the scheme of competitive examination. Save for certain exceptions, which need not here be specified, this plan would allow admission to the service only in its lowest grade, and would accordingly demand that all vacancies in higher positions should be filled by promotion alone. In these particulars it is in conformity with the existing civil-service system of Great Britain; and indeed the success which has attended that system in the country of its birth is the strongest argument which has been urged for its adoption here.

The fact should not, however, be overlooked that there are certain features of the English system which have not generally been received with favor in this country, even among the foremost advocates of civil-service reform.

Among them are:

1. A tenure of office which is substantially a life tenure.

2. A limitation of the maximum age at which an applicant can enter the service, whereby all men in middle life or older are, with some exceptions, rigidly excluded.

3. A retiring allowance upon going out of office.

These three elements are as important factors of the problem as any of the others. To eliminate them from the English system would effect a most radical change in its theory and practice.

The avowed purpose of that system is to induce the educated young men of the country to devote their lives to public employment by an assurance that having once entered upon it they need never leave it, and that after voluntary retirement they shall be the recipients of an annual pension. That this system as an entirety has proved very successful in Great Britain seems to be generally conceded even by those who once opposed its adoption.

To a statute which should incorporate all its essential features I should feel bound to give my approval; but whether it would be for the best interests of the public to fix upon an expedient for immediate and extensive application which embraces certain features of the English system, but excludes or ignores others of equal importance, may be seriously doubted, even by those who are impressed, as I am myself, with the grave importance of correcting the evils which inhere in the present methods of appointment.

If, for example, the English rule which shuts out persons above the age of 25 years from a large number of public employments is not to be made an essential part of our own system, it is questionable whether the attainment of the highest number of marks at a competitive examination should be the criterion by which all applications for appointment should be put to test. And under similar conditions it may also be questioned whether admission to the service should be strictly limited to its lowest ranks.

There are very many characteristics which go to make a model civil servant. Prominent among them are probity, industry, good sense, good habits, good temper, patience, order, courtesy, tact, self-reliance, manly deference to superior officers, and manly consideration for inferiors. The absence of these traits is not supplied by wide knowledge of books, or by promptitude in answering questions, or by any other quality likely to be brought to light by competitive examination.

To make success in such a contest, therefore, an indispensable condition of public employment would very likely result in the practical exclusion of the older applicants, even though they might possess qualifications far superior to their younger and more brilliant competitors.

These suggestions must not be regarded as evincing any spirit of opposition to the competitive plan, which has been to some extent successfully employed already, and which may hereafter vindicate the claim of its most earnest supporters; but it ought to be seriously considered whether the application of the same educational standard to persons of mature years and to young men fresh from school and college would not be likely to exalt mere intellectual proficiency above other qualities of equal or greater importance.

Another feature of the proposed system is the selection by promotion of all officers of the Government above the lowest grade, except such as would fairly be regarded as exponents of the policy of the Executive and the principles of the dominant party.

To afford encouragement to faithful public servants by exciting in their minds the hope of promotion if they are found to merit it is much to be desired.

But would it be wise to adopt a rule so rigid as to permit no other mode of supplying the intermediate walks of the service?

There are many persons who fill subordinate positions with great credit, but lack those qualities which are requisite for higher posts of duty; and, besides, the modes of thought and action of one whose service in a governmental bureau has been long continued are often so cramped by routine procedure as almost to disqualify him from instituting changes required by the public interests. An infusion of new blood from time to time into the middle ranks of the service might be very beneficial in its results.

The subject under discussion is one of grave importance. The evils which are complained of can not be eradicated at once; the work must be gradual.

The present English system is a growth of years, and was not created by a single stroke of executive or legislative action.

Its beginnings are found in an order in council promulgated in 1855, and it was after patient and cautious scrutiny of its workings that fifteen years later it took its present shape.

Five years after the issuance of the order in council, and at a time when resort had been had to competitive examinations as an experiment much more extensively than has yet been the case in this country, a select committee of the House of Commons made a report to that House which, declaring its approval of the competitive plan, deprecated, nevertheless, any precipitancy in its general adoption as likely to endanger its ultimate success.

During this tentative period the results of the two methods of pass examination and competitive examination were closely watched and compared. It may be that before we confine ourselves upon this important question within the stringent bounds of statutory enactment we may profitably await the result of further inquiry and experiment.

The submission of a portion of the nominations to a central board of examiners selected solely for testing the qualifications of applicants may perhaps, without resort to the competitive test, put an end to the mischiefs which attend the present system of appointment, and it may be feasible to vest in such a board a wide discretion to ascertain the characteristics and attainments of candidates in those particulars which I have already referred to as being no less important than mere intellectual attainment.

If Congress should deem it advisable at the present session to establish competitive tests for admission to the service, no doubts such as have been suggested shall deter me from giving the measure my earnest support.

And I urgently recommend, should there be a failure to pass any other act upon this subject, that an appropriation of $25,000 per year may be made for the enforcement of section 1753 of the Revised Statutes.

With the aid thus afforded me I shall strive to execute the provisions of that law according to its letter and spirit.

I am unwilling, in justice to the present civil servants of the Government, to dismiss this subject without declaring my dissent from the severe and almost indiscriminate censure with which they have been recently assailed. That they are as a class indolent, inefficient, and corrupt is a statement which has been often made and widely credited; but when the extent, variety, delicacy, and importance of their duties are considered the great majority of the employees of the Government are, in my judgment, deserving of high commendation.

The continuing decline of the merchant marine of the United States is greatly to be deplored. In view of the fact that we furnish so large a proportion of the freights of the commercial world and that our shipments are steadily and rapidly increasing, it is cause of surprise that not only is our navigation interest diminishing, but it is less than when our exports and imports were not half so large as now, either in bulk or value. There must be some peculiar hindrance to the development of this interest, or the enterprise and energy of American mechanics and capitalists would have kept this country at least abreast of our rivals in the friendly contest for ocean supremacy.

The substitution of iron for wood and of steam for sail have wrought great revolutions in the carrying trade of the world; but these changes could not have been adverse to America if we had given to our navigation interests a portion of the aid and protection which have been so wisely bestowed upon our manufactures. I commend the whole subject to the wisdom of Congress, with the suggestion that no question of greater magnitude or farther reaching importance can engage their attention.

In 1875 the Supreme Court of the United States declared unconstitutional the statutes of certain States which imposed upon shipowners or consignees a tax of $1.50 for each passenger arriving from a foreign country, or in lieu thereof required a bond to indemnify the State and local authorities against expense for the future relief or support of such passenger. Since this decision the expense attending the care and supervision of immigrants has fallen on the States at whose ports they have landed. As a large majority of such immigrants, immediately upon their arrival, proceed to the inland States and the Territories to seek permanent homes, it is manifestly unjust to impose upon the State whose shores they first reach the burden which it now bears. For this reason, and because of the national importance of the subject, I recommend legislation regarding the supervision and transitory care of immigrants at the ports of debarkation.

I regret to state that the people of Alaska have reason to complain that they are as yet unprovided with any form of government by which life or property can be protected. While the extent of its population does not justify the application of the costly machinery of Territorial administration, there is immediate necessity for constituting such a form of government as will promote the education of the people and secure the administration of justice.

The Senate at its last session passed a bill providing for the construction of a building for the Library of Congress, but it failed to become a law. The provision of suitable protection for this great collection of books and for the copyright department connected with it has become a subject of national importance and should receive prompt attention.

The report of the Commissioners of the District of Columbia herewith transmitted will inform you fully of the condition of the affairs of the District.

They urge the vital importance of legislation for the reclamation and improvement of the marshes and for the establishment of the harbor lines along the Potomac River front.

It is represented that in their present condition these marshes seriously affect the health of the residents of the adjacent parts of the city, and that they greatly mar the general aspect of the park in which stands the Washington Monument. This improvement would add to that park and to the park south of the Executive Mansion a large area of valuable land, and would transform what is now believed to be a dangerous nuisance into an attractive landscape extending to the river front.

They recommend the removal of the steam railway lines from the surface of the streets of the city and the location of the necessary depots in such places as may be convenient for the public accommodation, and they call attention to the deficiency of the water supply, which seriously affects the material prosperity of the city and the health and comfort of its inhabitants.

I commend these subjects to your favorable consideration.

The importance of timely legislation with respect to the ascertainment and declaration of the vote for Presidential electors was sharply called to the attention of the people more than four years ago.

It is to be hoped that some well-defined measure may be devised before another national election which will render unnecessary a resort to any expedient of a temporary character for the determination of questions upon contested returns.

Questions which concern the very existence of the Government and the liberties of the people were suggested by the prolonged illness of the late President and his consequent incapacity to perform the functions of his office.

It is provided by the second article of the Constitution, in the fifth clause of its first section, that "in case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President."

What is the intendment of the Constitution in its specification of "inability to discharge the powers and duties of the said office" as one of the contingencies which calls the Vice-President to the exercise of Presidential functions?

Is the inability limited in its nature to long-continued intellectual incapacity, or has it a broader import?

What must be its extent and duration?

How must its existence be established?

Has the President whose inability is the subject of inquiry any voice in determining whether or not it exists, or is the decision of that momentous and delicate question confided to the Vice-President, or is it contemplated by the Constitution that Congress should provide by law precisely what should constitute inability and how and by what tribunal or authority it should be ascertained?

If the inability proves to be temporary in its nature, and during its continuance the Vice-President lawfully exercises the functions of the Executive, by what tenure does he hold his office?

Does he continue as President for the remainder of the four years' term?

Or would the elected President, if his inability should cease in the interval, be empowered to resume his office?

And if, having such lawful authority, he should exercise it, would the Vice-President be thereupon empowered to resume his powers and duties as such?

I can not doubt that these important questions will receive your early and thoughtful consideration.

Deeply impressed with the gravity of the responsibilities which have so unexpectedly devolved upon me, it will be my constant purpose to cooperate with you in such measures as will promote the glory of the country and the prosperity of its people.

CHESTER A. ARTHUR.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, December 12, 1881.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 17th of May last, a report of the Secretary of State, with accompanying papers, touching the Geneva convention for the relief of the wounded in war.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 15, 1881.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with accompanying papers, in reference to the applications of the Chicago, Texas and Mexican Central and the St. Louis and San Francisco Railway companies for a right of way across the lands of the Choctaw Nation in the Indian Territory for the building of a proposed railroad and telegraph line.

The matter is commended to the careful attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 15, 1881.*

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 12th instant, a report from the Secretary of State, with an accompanying paper, touching the proposed modification of the Clayton-Bulwer treaty of April 19, 1850, between the United States and Great Britain.

CHESTER A. ARTHUR.

WASHINGTON, *December 15, 1881.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty of peace, friendship, and commerce between the United States of America and the Kingdom of Madagascar, signed on the 13th day of May, 1881, together with certain correspondence relating thereto.

CHESTER A. ARTHUR.

WASHINGTON, *December 19, 1881.*

To the Senate of the United States:

I transmit herewith to the Senate a report from the Secretary of State, in response to its resolution of the 13th of October last, calling for the transmission to the Senate of papers on file in the Department of State relating to the seizure of one Vicenzo Rebello, an Italian, in the city of New Orleans, in June, 1881, by one James Mooney, under a warrant of arrest issued by John A. Osborn, United States commissioner in and for the city of New York.

CHESTER A. ARTHUR.

WASHINGTON, *December 19, 1881.*

To the Senate of the United States:

I transmit herewith to the Senate a report of the Secretary of State, in relation to the necessity of modifying the present system of consular jurisdiction of the United States in the countries of the East. I regard this subject, to which I have adverted in my general message to Congress, as one deserving the earnest attention of the National Legislature.

CHESTER A. ARTHUR.

[A similar message was sent to the House of Representatives.]

WASHINGTON, *December 19, 1881.*

To the House of Representatives:

I transmit herewith to the House of Representatives, for the consideration of Congress, a communication from the Secretary of State, setting forth the expediency of organizing a class of supernumerary secretaries of legation to meet the needs of our diplomatic service abroad.

CHESTER A. ARTHUR.

WASHINGTON, *December 19, 1881.*

To the Senate of the United States:

I transmit herewith, in reply to the resolution of the Senate of the 19th of May last, a report from the Secretary of State, with an accompanying paper.*

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 21, 1881.*

To the House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, with an accompanying paper, in which he recommends a further appropriation for the payment of the expenses of the Tenth Census; also an appropriation of $2,000 to recompense the disbursing clerk of the Department of the Interior for his services in disbursing the appropriations for the Tenth Census.

CHESTER A. ARTHUR.

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* List of officers, clerks, etc., in the Department of State.

EXECUTIVE MANSION, *December 21, 1881.*

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 6th instant, a letter from the Secretary of the Treasury and its accompanying papers.*

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 6, 1882.*

To the Senate and House of Representatives:

I transmit a communication† received this day from the late Postmaster-General, to which I invite your careful attention.

Though the period limited for the reception of bids under the existing advertisement expires on the 7th instant, several weeks must necessarily elapse before they can be classified and examined and the actual letting take place.

If, therefore, Congress shall be of the opinion that a change in the law is needed, it may, I presume, be made immediately applicable.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 9, 1882.*

To the Senate of the United States:

I transmit herewith a communication from the Secretary of the Interior, with accompanying papers, in reference to the bill of the Choctaw Council approved November 10, 1881, granting a right of way through the Choctaw Nation to the St. Louis and San Francisco Railway Company, a bill (S. No. 60) for the ratification of which is now understood to be pending before your honorable body.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 11, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill and accompanying papers, in reference to an agreement by the Shoshone and Bannock Indians with the United States for the disposal of certain of their lands in the Fort Hall Indian Reservation, in Idaho, for the use of the Utah and Northern Railway.

The matter is commended to the careful consideration of Congress.

CHESTER A. ARTHUR.

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*Instructions to, and reports of certain, examiners of national banks.

†Relating to fraudulent bonds accompanying certain bids and contracts for carrying United States mail.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill to appropriate money to meet a deficiency in the Indian service for the fiscal year ending June 30, 1882.

A copy of report of the Commissioner of Indian Affairs, dated 13th instant, in regard to the bill is also inclosed.

The subject is commended to the attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill and accompanying papers, amendatory of the act of March 3, 1880, for the sale of the Otoe and Missouria Indian Reservation, in the States of Nebraska and Kansas.

The subject is presented to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 18, 1882.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, forwarding copy of a letter addressed to him by the Commissioner of Indian Affairs, inclosing draft of a bill to create the office of medical inspector for the United States Indian service.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of bill and accompanying papers, providing for the improvement of the condition of Indians occupying reservations, and for other purposes.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, and accompanying letter from the Commissioner of Indian Affairs, recommending a renewal of the appropriation of $10,000 heretofore made for defraying the expenses of the Board of Indian Commissioners.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill and accompanying papers, in reference to the settlement of the estate of deceased Kickapoo Indians in the State of Kansas, and for other purposes.

The matter is commended to the attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill and accompanying papers, to accept and ratify an agreement with the Crow Indians for the sale of a portion of their reservation in the Territory of Montana, required for the Northern Pacific Railroad, and to make the necessary appropriation for carrying the same into effect.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, with accompanying papers, recommending an appropriation for the purchase of a site and the erection of a fireproof building to contain the records, library, and museum of the Surgeon-General's Office.

CHESTER A. ARTHUR.

OFFICE OF THE PRESIDENT OF THE UNITED STATES,
Washington, January 19, 1882.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, inclosing a copy of one from the Chief Signal Officer of the Army, dated the 11th instant, setting forth the necessity for additional room for the Signal Office and recommending that Congress provide that of the amount estimated ($350,000) for "observation and report of storms, 1883," the sum of $10,000 may be expended for the hire of a safe and suitable building in Washington City for the office of the Chief Signal Officer.

CHESTER A. ARTHUR.

OFFICE OF THE PRESIDENT OF THE UNITED STATES,
January 19, 1882.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 14th instant, and accompanying letter from the Chief Signal Officer of the Army, recommending the passage of a joint resolution, in accordance with the inclosed draft, authorizing the printing and binding of 10,000 additional copies of the latter's annual report for the year 1881.

CHESTER A. ARTHUR.

WASHINGTON, *January 23, 1882.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty of commerce and navigation between the United States of America and His Majesty the King of Roumania, signed on the 11th day of April last.

CHESTER A. ARTHUR.

WASHINGTON, *January 24, 1882.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty of commerce between the United States and the Prince of Serbia, signed on the 14th of October last.

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CHESTER A. ARTHUR.

WASHINGTON, *January 24, 1882.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention defining the rights, immunities, and privileges of consular officers, between the United States and the Prince of Serbia, signed on the 14th of October last.

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CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 24, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill to increase the salary of the Commissioner of the

General Land Office and to create the offices of Assistant Commissioner of the General Land Office and inspectors of surveyors-general and district land officers.

The matter is commended to the attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 24, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill for the per capita distribution of the sum of $2,000 to the band of Eastern Shawnee Indians at Quapaw Agency, Ind. T., with accompanying papers noted in said communication.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 24, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill to increase the salary of the Commissioner of Indian Affairs and to create the office of Assistant Commissioner of Indian Affairs.

The matter is commended to the attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 24, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill and accompanying papers, in reference to the proposition of the Creek Nation of Indians for the cession of certain of their lands in the Indian Territory occupied by the Seminole Indians.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 24, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill authorizing the sale of certain pine timber cut upon the Menomonee Reservation in Wisconsin, together with the accompanying papers noted in said communication.

CHESTER A. ARTHUR.

ASSASSINATION OF GARFIELD—TRIAL OF THE ASSASSIN

TRIAL OF GARFIELD'S ASSASSIN.

Because of the enormity of the offense involved, the trial of Charles J. Guiteau for the assassination of Garfield was a very lengthy and careful affair. Although Garfield died on September 19, 1881, Guiteau was not finally declared guilty by a jury in the Washington courts until January 25, 1882. Guiteau, a disappointed office-seeker, was very abusive during the trial, and every effort was made to show that he was insane, but unsuccessfully. He was hanged on June 30, 1882.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 23d instant, and accompanying copies of letters from the Adjutant-General, Inspector-General, and Quartermaster-General of the Army, recommending the amendment of section 3 of the act approved May 15, 1872, entitled "An act to establish the pay of the enlisted men of the Army," so as to require a settlement of the clothing accounts of enlisted men at every bimonthly muster for pay.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, with plan and estimate of the cost of constructing five dining-rooms and kitchens at Jefferson Barracks, Mo.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill for the per capita distribution of the sum of $5,000 to the band of Western Miami Indians at the Quapaw Agency, Ind. T., with accompanying papers noted in said communication.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, reporting a list of reservations which are no longer needed for military purposes and setting forth the necessity for such legislation as will provide for their disposal.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of an amendment to be inserted in the annual Indian appropriation bill now pending, providing for the disposal of certain bonds and funds held by the Treasurer of the United States as custodian in the name of the Ottawa and Chippewa Indians, together with accompanying papers noted in said communication.

The matter is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War and its accompanying papers, setting forth the necessity for the erection of a new embankment wall on the creek bordering the grounds of the Frankford Arsenal, Pa., and recommending that an appropriation be made for that purpose.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, concerning an appropriation for the improvement of the Hot Springs Reservation, in Garland County, Ark.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for your consideration, a communication from the Secretary of the Interior, dated the 18th instant, touching the necessity for additional room for the clerical force of the Department of the Interior.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the annual report of the Government directors of the Union Pacific Railway to the Secretary of the Interior for the year 1881.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with draft of amendment to be inserted in the Indian appropriation bill, to carry into effect the provisions of the fifth section of the act of March 3, 1873, providing for the consolidation of funds belonging to the Miami Indians of Kansas.

The matter is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 26, 1882.

To the House of Representatives:

I transmit herewith a report of the Secretary of State, with accompanying papers, furnished in response to a resolution of the House of Representatives of the 24th instant, calling for correspondence touching the efforts of this Government to bring about peace between Chile and Peru and Bolivia, and touching claims against or contracts respecting either of the belligerent Governments.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 26, 1882.

To the Senate of the United States:

I transmit herewith a report of the Secretary of State and accompanying papers, furnished in response to the resolution of the Senate of the 13th ultimo, calling for correspondence touching affairs in or between Peru and Chile.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1882.*

To the Senate of the United States:

I transmit herewith, in further response to the Senate resolution of the 13th December, 1881, a report of the Secretary of State, embodying the purport of a recent telegram from the special envoy of the United States setting forth the conditions of peace presented by Chile.

CHESTER A. ARTHUR.

[A similar message was sent to the House of Representatives, in answer to a resolution of that body of January 24, 1882.]

EXECUTIVE MANSION, *January 28, 1882.*

To the Senate of the United States:

In further answer to the resolution of the Senate of December 12, 1881, I herewith transmit the remainder of the correspondence touching the desired modification of the Clayton-Bulwer treaty. The dispatch of the Secretary of State of November 29, 1881, was not sent to the

Senate with the former dispatches, because at that time no advice had been received that its contents had been communicated to the British Government.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 1, 1882.*

To the House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, inclosing a letter from the Commissioner of Pensions, giving, in compliance with the resolution of the House of Representatives passed on the 26th of January, 1882, estimates of the amounts which will be required annually to pay pensions for the next twenty-five years, based on the presumed conditions stated in the resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, with accompanying papers, relative to lawlessness which prevails in parts of Arizona, and in connection therewith call attention to that portion of my message of the 6th of December last in which suggestions were made as to legislation which seems to be required to enable the General Government to assist the local authorities of the Territory in restoring and maintaining order.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill authorizing the disposal of dead and damaged timber upon Indian reservations under the direction of the Interior Department, and correspondence noted by the Secretary.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 2, 1882.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing copy of a letter addressed to him by the Commissioner of the General Land Office, asking, for reasons stated therein, that Congress may be requested to make a special appropriation for a temporary increase of the clerical force of the General Land Office.

A draft of a bill for that purpose is herewith inclosed, and the subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 2, 1882.

To the Senate of the United States:

I transmit herewith, in further response to the resolution of the Senate of the 18th of March, 1881, a report of the Secretary of State, with its accompaniment, touching the capitulations of the Ottoman Empire.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 27th of January, 1882, and accompanying estimates for new buildings for the general recruiting service at Davids Island, New York Harbor, and Columbus Barracks, Ohio.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with the draft of a bill to authorize the settlement of certain accounts for advertising the sale of Kansas Indian lands, with accompanying papers referred to in said communication.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill for the payment of certain settlers in the State of Nevada for improvements on lands in Duck Valley, in said State, taken for the use and occupancy of the Shoshone Indians.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, dated January 31, 1882, upon the subject of additional legislation for the expenses of the Tenth Census, and inclose draft of an act supplemental to the act approved January 28, 1882.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 3, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the Secretary of the Interior of the 27th ultimo, with accompanying papers, on the subject of the confirmation of the homestead entries of certain lands in Marquette district, Michigan, made by Hugh Foster and John Waishkey, jr.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 3, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill to prevent timber depredations on Indian reservations, and correspondence noted by the Secretary.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 3, 1882.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State of this date, with accompanying papers, furnished in obedience to a resolution of the Senate of the 12th ultimo, calling for certain correspondence in the case of claim of Antonio Pelletier against the Government of Hayti.

CHESTER A. ARTHUR.

[A similar message was sent to the House of Representatives.]

EXECUTIVE MANSION, *February 8, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication of 1st instant from the Secretary of the Interior, covering information respecting the lands granted to the State of Oregon for the Willamette Valley and Cascade Mountain Wagon Road Company.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 8, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, inclosing copies of papers relating to the site of Fort Bliss, at El Paso, Tex., with special reference to certain errors contained in the deeds conveying the land to the United States, and recommending the passage by Congress of an act, a draft of which is also inclosed, to rectify and establish the title of the United States to the site in question.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 8, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War of the 6th instant, together with plans and estimates for barracks and quarters in the Military Division of the Pacific and at Fort Monroe, Va., for the fiscal year ending June 30, 1883; also the correspondence accompanying the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 11th instant, covering plans and estimates for completing the new barracks at Fort Leavenworth, Kans., and for the erection of additional quarters for officers thereat, in connection with the School of Cavalry and Infantry; also the correspondence accompanying the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the report of the Board of Indian Commissioners for the year 1881, accompanied by a letter from the Secretary of the Interior, dated the 9th instant, suggesting legislation regarding reports from said board. The report is sent with the message to the House of Representatives.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Navy, dated the 8th instant, and accompanying copies of letters from Rear-Admiral John Rodgers, Superintendent of the Naval Observatory, Professor J. E. Nourse, United States Navy, and Hon. John Eaton, Commissioner of Education, suggesting the publication of a second edition of the Second Arctic Expedition made by Captain C. F. Hall.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, inclosing a letter from the Commissioner of Education, in which the recommendation is made that an appropriation of $50,000 be made for the purpose of education in Alaska.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 15, 1882.*

To the House of Representatives:

I transmit herewith the response of the Secretary of State to your resolution of the 30th ultimo, calling for certain information relative to the amount of fees collected by consuls of the United States from American vessels.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 17, 1882.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 6th instant, requesting a further compliance with its call for correspondence respecting the war on the Pacific, I transmit herewith a report of the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 17, 1882.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 12th of December, 1881, respecting the Clayton-Bulwer treaty, I transmit herewith a further report by the Secretary of State, accompanied by copies of papers on the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 17, 1882.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 31st of January last, calling for the correspondence touching the relations of the United States with Guatemala and Mexico and their relations with each other, I transmit a report of the Secretary of State, which is accompanied by a copy of the papers called for by the resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 21, 1882.*

To the Senate and House of Representatives:

I submit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, and accompanying papers, in which he recommends that authority be given for the payment of certain damages which unexpectedly occurred to the property of private persons on the Government reservation at Hot Springs, Ark., in consequence of work performed under the direction of the superintendent in the performance of his duty.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, inclosing a copy of a communication from the Commissioner of Pensions, in which he recommends that more adequate provision be made for the payment of the expenses of obtaining evidence of the extent of the disability of those pensioners of the United States and applicants for pension who reside in foreign countries.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Navy, with accompanying papers, asking, for reasons stated by him, that Congress may be requested to make a special appropriation for the payment of the claim of Isaac A. Sylvester against the Navy Department.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication of the Secretary of the Interior, dated the 16th instant, relative to the necessity for a deficiency appropriation for the payment of salaries of clerks and laborers in the Patent Office during the present fiscal year.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Nav with a copy of a letter from the Superintendent of the United State

Naval Observatory, accompanied by a draft of a bill, with estimates for an observation of the transit of Venus on the 6th of December, 1882.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing a memorial and papers from the Seneca Nation of New York Indians embodying a resolution and remonstrance against the passage of Senate bill No. 19, "to provide for the allotment of lands in severalty to Indians on the various reservations," etc., together with a report thereon of the Commissioner of Indian Affairs, recommending an amendment to the seventh section thereof excluding the lands of said Indians.

The accompanying papers are transmitted with the message to the Senate.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1882.*

To the Senate and House of Representatives:

I submit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, inclosing a petition of Mr. P. W. Norris for compensation for services rendered and expenses incurred by him as superintendent of the Yellowstone National Park from the 18th of April, 1877, to the 1st of July, 1878.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1882.*

To the Senate of the United States:

I transmit herewith a communication of the Secretary of the Interior of the 23d instant, with accompanying papers, furnished in obedience to a resolution of the Senate of the 30th ultimo, calling for certain information in relation to the Malheur Indian Reservation, in the State of Oregon.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1882.*

To the House of Representatives:

In reply to the resolution of the House of Representatives of the 24th ultimo, I transmit herewith copies of letters from the Secretary of the Treasury and the chairman of the Civil Service Commission, dated the 3d and 13th instant, respectively, from which it will be seen that the appropriation of $15,000 made at the last session of Congress for the promotion of efficiency in the different branches of the civil service is still unexpended, and that in order to execute the provisions of section 1753 of the Revised Statutes an annual appropriation of $25,000 would be necessary.

CHESTER A. ARTHUR.

WASHINGTON, *March 1, 1882.*

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of May 19, 1881, a communication, with accompanying papers, from the Secretary of State, respecting the collection by consular officers of certain official fees in connection with the authentication of invoices, and the compensation of such officers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 1, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 28th of February, 1882, from the Secretary of the Interior, with accompanying papers, in relation to the request of the Cherokee Indians of the Indian Territory for payment for lands belonging to them in said Territory ceded to the United States by the sixteenth article of their treaty of July 19, 1866, for the settlement of friendly Indians.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 2, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 18th ultimo, inclosing plans and estimates for the construction of the post of Fort Thornburg, in Utah Territory, and recommending an appropriation of $84,000 for that purpose and that the same be made available for immediate use.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 3, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, transmitting plans and estimates for the large military post proposed to be constructed at Fort Selden, N. Mex.

CHESTER A. ARTHUR.

WASHINGTON, *March 3, 1882.*

To the Senate of the United States:

I transmit to the Senate, for its action thereon, the accession of the United States to the convention concluded at Geneva on the 22d August, 1864, between various powers, for the amelioration of the wounded of armies in the field, and to the additional articles thereto, signed at Geneva on the 20th October, 1868.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 3, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated the 2d instant, with accompanying papers, submitting an estimate of appropriations for the payment of expenses of removal of certain Eastern Cherokee Indians to the Indian Territory.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 7, 1882.*

To the Senate and House of Representatives:

I transmit a communication from the Secretary of the Navy, with a copy of a letter from the Chief of the Bureau of Equipment and Recruiting and a draft of a bill recommending an increase of 500 enlisted men for the naval service.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 8, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated the 6th instant, with accompanying papers* from the Commissioner of Indian Affairs and a draft of a bill to amend section 2135, Revised Statutes.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 10, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Navy, with accompanying papers, asking, for reasons stated by him, that Congress may be requested to make a special appropriation for paving a portion of the roadway of Hanover street and curbing and paving the sidewalk of that street on the side next the Government property at the Naval Academy, Annapolis, Md.

CHESTER A. ARTHUR.

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* Relating to the selling and trading of annuity goods by Lower Brulé Indians.

EXECUTIVE MANSION, *March 10, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 9th instant, submitting, with accompanying papers, an estimate of appropriation for the purpose of defraying the expenses of the Ute Commission, appointed under section 2 of the act of June 15, 1880.

The matter is commended to the early action of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 10, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War of the 6th instant, and accompanying papers, recommending the passage of an act making certain debts incurred by soldiers a lien against their pay.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 10, 1882.*

To the House of Representatives:

I herewith transmit, in response to a resolution of the House of Representatives of the 7th ultimo, a report of the Secretary of State, touching the arrest and imprisonment in Mexico of Thomas Shields and two other American citizens, to which that resolution relates.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 10, 1882.*

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of the 30th of January last, a report from the Secretary of State, with accompanying paper.*

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 13, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the president of the National Board of Health, calling attention to the necessity for additional legislation to prevent the introduction of contagious and infectious diseases into the United States from foreign countries.

The subject is commended to the careful consideration of Congress.

CHESTER A. ARTHUR.

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* List of promotions, removals, and appointments in the consular service since March 4, 1877.

EXECUTIVE MANSION, *March 14, 1882.*

To the House of Representatives:

I inclose herewith an amended estimate for an increase in the clerical force of the office of the Commissioner of Pensions, which I recommend to your consideration.

CHESTER A. ARTHUR.

[The same message was sent to the Senate.]

EXECUTIVE MANSION, *March 16, 1882.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State and an accompanying paper, in further response to the resolution of the Senate of the 13th of December last, calling for correspondence touching affairs in or between Peru and Chile.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 17, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with accompanying papers, covering the action of the Osage Indians declining to accede to the terms of the act of March 3, 1881, reducing the price of their lands in Kansas.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 18, 1882.*

To the House of Representatives:

In response to the resolution of the House of Representatives adopted March 16, 1882, in which the President is requested, if not incompatible with the public interests, to furnish to the House all the facts before him at the time he authorized the sending or employment of troops or military forces of the United States in the State of Nebraska during the present month, together with his reasons therefor, I have the honor to state that the employment of military forces of the United States as to which it is understood that information is desired by the House of Representatives was authorized on the 10th instant, and that all the facts before me at that time are set forth in telegraphic communications, dated the 9th and 10th instant, from the governor of the State of Nebraska and Brigadier-General Crook, commanding the Department of the Platte, of which copies are herewith submitted.

For the further information of the House of Representatives, I transmit copies of telegraphic correspondence had on the 9th, 10th, and 11th instant between the Secretary of War and the governor of Nebraska and the Secretary of War and the Lieutenant-General of the Army, of which the instructions issued by my direction for the employment of the military forces upon the application of the governor of Nebraska are a part.

From these papers it will be seen that the authority to employ troops was given upon the application of the governor of Nebraska in order to protect the State against domestic violence. The instructions were given in compliance with the requirements of that part of section 4 of Article IV of the Constitution which provides that the United States shall, on application of the legislature, or of the executive (when the legislature can not be convened), protect each of the States against domestic violence.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 20, 1882.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 9th instant, instructing the Secretary of State to ascertain and report to the Senate the cause for the alleged imprisonment by the British Government of Daniel McSweeney, a citizen of the United States, I transmit herewith a report on the subject from the Secretary of State, with its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 18th instant, inclosing plans and estimates for a brick building for the post of Fort Leavenworth, Kans., to contain quarters for two companies of troops, to replace the one destroyed by fire on the 1st February last, and recommending an appropriation of $18,745.77, in accordance with the estimates.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, dated the 6th instant, with accompanying paper, submitting draft of a bill "to authorize payment for Government transportation on certain railroads."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Navy, calling attention to the necessity of appropriating the sum of $12,000 under the head of "Contingent equipment and recruiting," for immediate use, to defray accruing expenses during the remainder of the current fiscal year.

The matter is commended to the favorable consideration of Congress.

CHESTER A. ARTHUR.

WASHINGTON, *March 22, 1882.*

To the Senate and House of Representatives:

In compliance with section 4119 of the Revised Statutes (act of June 22, 1860), I transmit to Congress a copy of two additional regulations issued in accordance with the fifth section of that act by the envoy extraordinary and minister plenipotentiary of the United States accredited to the Government of China, and assented to by the several United States consular officers in that country, for the service of summonses on absent defendants in causes before the consular courts of the United States of America in China. These regulations, which are accompanied by a copy of the minister's dispatch on the subject, are commended to the consideration of Congress, with a view to their approval.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 23, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated March 23, 1882, with accompanying reports and estimates, recommending an increase in the clerical force in his office and in the offices of the Adjutant-General and Surgeon-General of the Army, in order that prompt replies may be made to the calls for information by the Commissioner of Pensions in pension cases under a proposed plan to accomplish the settlement of all such claims within a limited number of years; also an increased appropriation for contingent expenses for each of the offices mentioned.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 23, 1882.*

To the Senate and House of Representatives:

I transmit herewith a copy of a law* passed at the recent session of the legislature of the Territory of New Mexico, for the action of Congress under section 1850 of the Revised Statutes.

CHESTER A. ARTHUR.

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* Providing a time for the commencement of the sessions of the legislative assembly of the Territory of New Mexico.

EXECUTIVE MANSION, *March 27, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated the 24th instant, and the accompanying letter of the Commissioner of Patents, submitting a supplemental estimate for an appropriation of $52,500 for the employment of twenty-five assistant principal examiners of patents, at an annual salary of $2,100 each.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 28, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Navy, with accompanying papers, on the subject of purchasing from the American Wood Preserving Company the machinery which was erected by that company at the navy-yard, Boston, under contract with the Navy Department, for the purpose of fully testing the company's process of preserving timber for use in the Navy.

The attention of Congress is invited to the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 28, 1882.*

To the House of Representatives:

I transmit herewith, in response to the resolution of the House of Representatives of yesterday, the 27th instant, a report of the Secretary of State, with accompanying papers, touching the negotiations for the restoration of peace in South America.

CHESTER A. ARTHUR.

WASHINGTON, *March 28, 1882.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention for the protection of trade-marks, concluded between the United States and His Majesty the King of Roumania on the 7th of October, 1881.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 29, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated 24th instant, in relation to the urgent necessity for action on the part of Congress for the prevention of trespasses upon Indian lands, with copy of report from Commissioner of Indian Affairs upon the subject and draft of bill for the object indicated.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 29, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated March 25, 1882, with accompanying correspondence, plans, and estimates, in which he recommends an appropriation of $40,000 for the completion of the new post at Fort Lewis, Colo.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 30, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated the 28th instant, and the accompanying letter of the Superintendent of the Government Hospital for the Insane, submitting an estimate for a deficiency appropriation of $20,792.51 for the support of that institution for the remaining portion of the present fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 30, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing draft of a bill to amend section 2056 of the Revised Statutes of the United States, relating to the term of office of Indian inspectors and Indian agents.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 30, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated the 29th of March, and the accompanying letter of the Commissioner of the General Land Office, submitting an estimate for the additions of $34,200 and $20,000, respectively, to the appropriations for salaries, fees, and commissions of registers and receivers, and for contingent expenses, land offices, for the next fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 30, 1882.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State and accompanying documents, in response to a resolution of the House of Representatives of February 13, 1882, touching the protection of American citizens in Persia and the establishment of diplomatic relations with that country.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 3, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, in which he sets forth the necessity which will exist for an appropriation for the payment of the commissioners to be appointed under the recent act of Congress entitled "An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes," and also for the payment of the election officers to be appointed by said commissioners.

In this connection I submit to Congress that, in view of the important and responsible duties devolved upon the commissioners under this act, their compensation at $3,000 per annum, as provided therein, should be increased to a sum not less than $5,000 per annum.

Such increased compensation, in my judgment, would secure a higher order of ability in the persons to be selected and tend more effectually to carry out the objects of the act.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 3, 1882.*

To the House of Representatives:

I forward herewith, in compliance with a resolution of the House of Representatives of the 6th of February ultimo, calling for information in reference to the arrest and imprisonment in Mexico of certain American citizens, a further report from the Secretary of State and its accompanying paper, concerning the cases of Thomas Shields and Charles Weber, to which that resolution refers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 4, 1882.*

To the House of Representatives:

In partial response to the resolution of the House of Representatives of the 31st of January last, on the subject of American citizens imprisoned in Ireland, I transmit herewith a report of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 4, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated March 31, 1882, and accompanying report from the Chief of Engineers, with its inclosures, relative to the construction of a bridge across the Potomac River at or near Georgetown, in the District of Columbia, under the provisions of the act approved February 23, 1881, in which he requests that an additional appropriation of $80,000 be made to give practical effect to the act referred to in accordance with the recommendations of the Chief of Engineers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 5, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, setting forth the necessity for an increased number of law clerks in the office of the Assistant Attorney-General in the Department of the Interior, because of the growing amount of business in that office.

The matter is commended to the attention and favorable action of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 5, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of this date, with draft of bill for the relief of Pierre Garrieaux and correspondence in relation thereto.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 5, 1882.*

To the House of Representatives:

I transmit herewith, in reply to the resolution of the House of Representatives of the 31st of January last, a report from the Secretary of State, with accompanying papers.*

CHESTER A. ARTHUR.

WASHINGTON, *April 5, 1882.*

To the Senate:

I transmit herewith, in reply to the resolution of the Senate of the 29th of March last, the report of the Secretary of State, with accompanying papers.*

CHESTER A. ARTHUR.

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* Correspondence, etc., relative to American citizens imprisoned in Ireland.

EXECUTIVE MANSION, *April 6, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 4th instant, inclosing plans and estimates for the completion of the post of Fort McKinney, Wyoming Territory, and recommending an appropriation of $50,000 for the purpose in accordance with the estimates.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 6, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 4th instant, inclosing estimates for deficiency in the appropriation for the transportation of the Army and its supplies for the fiscal year ending June 30, 1882, and recommending an appropriation in accordance therewith.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 11, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 6th instant, in which he recommends a reappropriation of the unexpended balances of two appropriations of $50,000 each, made in 1880 and 1881, "for continuing the improvement of the water-power pool" at the Rock Island Arsenal, and that the additional sum of $30,000 be granted for the same purpose; also the additional sum of $70,000 "for deepening the canal and for opening six waterways in connection with the water power."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 12, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with the accompanying report from the Commissioner of Indian Affairs, dated 29th ultimo, recommending an increase of item for "transportation of Indian supplies for the fiscal year 1882" (deficiency), as designated in Senate Executive Document 57, Forty-seventh Congress, first session.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 12, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, inclosing draft of bill prepared in the Office of Indian Affairs, submitted with Commissioner's report of 27th ultimo, confirming to the

Cheyenne and Arapahoe Indians the lands in the Indian Territory set apart for their occupancy by an Executive order dated August 10, 1869, which lands are in lieu of those set apart for their use and occupancy by the second article of the treaty with said Indians concluded October 28, 1867.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 12, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 6th instant, inclosing one from the acting chief clerk of the War Department on the subject, recommending an additional appropriation of $2,000 for contingent expenses of the War Department for 1882; also that appropriation provided for the purpose for the next fiscal year be increased $10,000.

CHESTER A. ARTHUR.

OFFICE OF THE PRESIDENT OF THE UNITED STATES,
Washington, April 14, 1882.

To the Senate of the United States:

I transmit herewith, for the consideration of Congress, the inclosed letter and accompanying statement from the Secretary of the Navy, in relation to the necessity of building a new boiler shop at the navy-yard, New York, and repairing the caisson gate of the dry dock at that station, in which it is requested that an appropriation of $147,243.04 be made for these objects.

CHESTER A. ARTHUR.

[The same message was sent to the House of Representatives.]

EXECUTIVE MANSION, *April 14, 1882.*

To the House of Representatives:

I transmit herewith, with commendation to the attention of Congress, a report of the Secretary of State and its accompanying papers, concerning the proposed establishment of an international bureau of exchanges.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 14, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with correspondence, relative to right of way of the Republican Valley Railroad across the Otoe and Missouria Reservation in the State of Nebraska, and draft of an amendment to S. No. 930, "A bill to amend an act entitled 'An act to provide for the sale of the remainder of the reservation of the confederated Otoe and Missouria tribes of Indians in the States of Nebraska and Kansas, and for other purposes,' approved March 3, 1881."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 17, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter, dated the 29th ultimo, from the Secretary of War, inclosing copy of a communication from the Mississippi River Commission, in which the commission recommends that an appropriation may be made of $1,010,000 for "closing existing gaps in levees," in addition to the like sum for which an estimate has already been submitted.

The subject is one of such importance that I deem it proper to recommend early and favorable consideration of the recommendations of the commission. Having possession of and jurisdiction over the river, Congress, with a view of improving its navigation and protecting the people of the valley from floods, has for years caused surveys of the river to be made for the purpose of acquiring knowledge of the laws that control it and of its phenomena. By act approved June 28, 1879, the Mississippi River Commission was created, composed of able engineers. Section 4 of the act provides that—

> It shall be the duty of said commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service.

The constitutionality of a law making appropriations in aid of these objects can not be questioned. While the report of the commission submitted and the plans proposed for the river's improvement seem justified as well on scientific principles as by experience and the approval of the people most interested, I desire to leave it to the judgment of Congress to decide upon the best plan for the permanent and complete improvement of the navigation of the river and for the protection of the valley.

The immense losses and widespread suffering of the people dwelling near the river induce me to urge upon Congress the propriety of not only making an appropriation to close the gaps in the levees occasioned by the recent floods, as recommended by the commission, but that Congress should inaugurate measures for the permanent improvement of the navigation of the river and security of the valley. It may be that such a system of improvement would as it progressed require the appropriation of twenty or thirty millions of dollars. Even such an expenditure, extending, as it must, over several years, can not be regarded as extravagant in view of the immense interest involved. The safe and convenient navigation of the Mississippi is a matter of concern to all sections of the country, but to the Northwest, with its immense harvests, needing cheap transportation to the sea, and to the inhabitants of the river valley, whose lives and property depend upon the proper construction of the safeguards which protect them from the floods, it is of vital importance that a well-matured and comprehensive plan for improvement should be put into operation with as little delay as possible. The cotton product of the region subject to the devastating floods is a source of wealth to the nation and of great importance to keeping the balances of trade in our favor.

It may not be inopportune to mention that this Government has imposed and collected some $70,000,000 by a tax on cotton, in the production of which the population of the Lower Mississippi is largely engaged, and it does not seem inequitable to return a portion of this tax to those who contributed it, particularly as such an action will also result in an important gain to the country at large, and especially so to the great and rich States of the Northwest and the Mississippi Valley.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 17, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 14th instant, from the Secretary of the Interior, with draft of bill, and accompanying papers, for the establishment of an Indian training school on the site of the old Fort Ripley Military Reservation, in the State of Minnesota.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 17, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 12th instant, with accompanying papers, in relation to coal lands upon the San Carlos Reservation, in the Territory of Arizona.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 17, 1882.*

To the Senate:

I transmit herewith a report from the Secretary of State and its accompanying papers, concerning the international regulations for preventing collisions at sea, and I earnestly commend this important subject to the early and favorable consideration of Congress.

CHESTER A. ARTHUR.

[The same message was sent to the House of Representatives.]

EXECUTIVE MANSION, *April 18, 1882.*

To the Senate and House of Representatives:

I send herewith a copy of the circular invitation extended to all the independent countries of North and South America to participate in a general congress to be held in the city of Washington on the 22d of November next for the purpose of considering and discussing the methods of preventing war between the nations of America.

In giving this invitation I was not unaware that there existed differences between several of the Republics of South America which would militate against the happy results which might otherwise be expected from such an assemblage. The differences indicated are such as exist between Chile and Peru, between Mexico and Guatemala, and between the States of Central America.

It was hoped that these differences would disappear before the time fixed for the meeting of the congress. This hope has not been realized.

Having observed that the authority of the President to convene such a congress has been questioned, I beg leave to state that the Constitution confers upon the President the power, by and with the advice and consent of the Senate, to make treaties, and that this provision confers the power to take all requisite measures to initiate them, and to this end the President may freely confer with one or several commissioners or delegates from other nations. The congress contemplated by the invitation could only effect any valuable results by its conclusions eventually taking the form of a treaty of peace between the States represented; and, besides, the invitation to the States of North and South America is merely a preliminary act, of which constitutionality or the want of it can hardly be affirmed.

It has been suggested that while the international congress would have no power to affect the rights of nationalities there represented, still Congress might be unwilling to subject the existing treaty rights of the United States on the Isthmus and elsewhere on the continent to be clouded and rendered uncertain by the expression of the opinions of a congress composed largely of interested parties.

I am glad to have it in my power to refer to the Congress of the United States, as I now do, the propriety of convening the suggested international congress, that I may thus be informed of its views, which it will be my pleasure to carry out.

Inquiry having been made by some of the Republics invited whether it is intended that this international congress shall convene, it is important that Congress should at as early a day as is convenient inform me by resolution or otherwise of its opinion in the premises. My action will be in harmony with such expression.

CHESTER A. ARTHUR.

DEPARTMENT OF STATE, *Washington, November 29, 1881.*

SIR:[*] The attitude of the United States with respect to the question of general peace on the American continent is well known through its persistent efforts for years past to avert the evils of warfare, or, these efforts failing, to bring positive conflicts to an end through pacific counsels or the advocacy of impartial arbitration. This attitude has been consistently maintained, and always with such fairness as to leave no room for imputing to our Government any motive except the humane and disinterested one of saving the kindred States of the American continent from the burdens of war. The position of the United States as the leading power of the New World might well give to its Government a claim to authoritative utterance for the purpose of quieting discord among its neighbors, with all of whom the most friendly relations exist. Nevertheless, the good offices of this Government are not and have not at any time been tendered with a show of dictation or compulsion, but only as exhibiting the solicitous good will of a common friend.

For some years past a growing disposition has been manifested by certain States of Central and South America to refer disputes affecting grave questions of international relationship and boundaries to arbitration rather than to the sword. It has been on several such occasions a source of profound satisfaction to the Government of the United States to see that this country is in a large measure looked to by all the American powers as their friend and mediator.

The just and impartial counsel of the President in such cases has never been withheld, and his efforts have been rewarded by the prevention of sanguinary strife or angry contentions between peoples whom we regard as brethren.

The existence of this growing tendency convinces the President that the time is ripe for a proposal that shall enlist the good will and active cooperation of all the States of the Western Hemisphere, both north and south, in the interest of humanity and for the common weal of nations.

He conceives that none of the Governments of America can be less alive than our own to the dangers and horrors of a state of war, and especially of war between kinsmen. He is sure that none of the chiefs of Governments on the continent can be less sensitive than he is to the sacred duty of making every endeavor to do away with the chances of fratricidal strife. And he looks with hopeful confidence to such active assistance from them as will serve to show the broadness of our common humanity and the strength of the ties which bind us all together as a great and harmonious system of American Commonwealths.

Impressed by these views, the President extends to all the independent countries of North and South America an earnest invitation to participate in a general congress to be held in the city of Washington on the 24th day of November, 1882, for the purpose of considering and discussing the methods of preventing war between the nations of America. He desires that the attention of the congress shall be strictly confined to this one great object; that its sole aim shall be to seek a way of permanently averting the horrors of cruel and bloody combat between countries, oftenest of one blood and speech, or the even worse calamity of internal commotion and civil strife; that it shall regard the burdensome and far-reaching consequences of such struggles, the legacies of exhausted finances, of oppressive debt, of onerous taxation, of ruined cities, of paralyzed industries, of devastated fields, of ruthless conscription, of the slaughter of men, of the grief of the widow and the orphan, of imbittered resentments that long survive those who provoked them and heavily afflict the innocent generations that come after.

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[*] Sent under the same date, *mutatis mutandis*, to the United States ministers in the Argentine Republic, Bolivia, Brazil, Central America, Chile, Colombia, Mexico, Paraguay and Uruguay, Peru, and Venezuela; also directly to the minister of foreign relations of Ecuador, in which country the United States had no diplomatic representative.

The President is especially desirous to have it understood that in putting forth this invitation the United States does not assume the position of counseling, or attempting through the voice of the congress to counsel, any determinate solution of existing questions which may now divide any of the countries of America. Such questions can not properly come before the congress. Its mission is higher. It is to provide for the interests of all in the future, not to settle the individual differences of the present. For this reason especially the President has indicated a day for the assembling of the congress so far in the future as to leave good ground for hope that by the time named the present situation on the South Pacific coast will be happily terminated, and that those engaged in the contest may take peaceable part in the discussion and solution of the general question affecting in an equal degree the well-being of all.

It seems also desirable to disclaim in advance any purpose on the part of the United States to prejudge the issues to be presented to the congress. It is far from the intent of this Government to appear before the congress as in any sense the protector of its neighbors or the predestined and necessary arbitrator of their disputes. The United States will enter into the deliberations of the congress on the same footing as the other powers represented, and with the loyal determination to approach any proposed solution not merely in its own interest or with a view to asserting its own power, but as a single member among many coordinate and coequal States. So far as the influence of this Government may be potential, it will be exerted in the direction of conciliating whatever conflicting interests of blood or government or historical tradition may necessarily come together in response to a call embracing such vast and diverse elements.

You will present these views to the minister of foreign relations of Mexico, enlarging, if need be, in such terms as will readily occur to you, upon the great mission which it is within the power of the proposed congress to accomplish in the interest of humanity, and upon the firm purpose of the United States to maintain a position of the most absolute and impartial friendship toward all. You will thereupon, in the name of the President of the United States, tender to His Excellency the President of the Mexican Republic a formal invitation to send two commissioners to the congress, provided with such powers and instructions on behalf of their Government as will enable them to consider the questions brought before that body within the limit of submission contemplated by this invitation.

The United States as well as the other powers will in like manner be represented by two commissioners, so that equality and impartiality will be amply secured in the proceedings of the congress.

In delivering this invitation through the minister of foreign affairs you will read this dispatch to him and leave with him a copy, intimating that an answer is desired by this Government as promptly as the just consideration of so important a proposition will permit.

I am, sir, your obedient servant, JAMES G. BLAINE.

EXECUTIVE MANSION, *April 18, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a note addressed by the minister plenipotentiary of Mexico to the Secretary of State, proposing the conclusion of a convention between the two countries for defining the boundary between the United States and Mexico from the Rio Grande westward to the Pacific Ocean by the erection of durable monuments. I also lay before Congress a letter on the same subject, with its accompaniment, from the Secretary of War, to whom the proposition was referred by the Secretary of State for the expression of his views thereon.

I deem it important that the boundary line between the two countries, as defined by existing treaties and already once surveyed, should be run anew and defined by suitable permanent monuments. By so doing uncertainty will be prevented as to jurisdiction in criminal and municipal affairs, and questions be averted which may at any time in the near future arise with the growth of population on the border.

Moreover, I conceive that the willing and speedy assent of the Government of the United States to the proposal thus to determine the existing stipulated boundary with permanence and precision will be in some sense an assurance to Mexico that the unauthorized suspicion which of late years seems to have gained some credence in that Republic that the United States covets and seeks to annex neighboring territory is without foundation. That which the United States seeks, and which the definite settlement of the boundary in the proposed manner will promote, is a confiding and friendly feeling between the two nations, leading to advantageous commerce and closer commercial relations.

I have to suggest that in accepting this proposal suitable provision be made for an adequate military force on the frontier to protect the surveying parties from hostile Indians. The troops so employed will at the same time protect the settlers on the border and help to prevent marauding on both sides by the nomadic Indians.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 20, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War of the 18th instant, inclosing plans and estimates for the completion of the post of Fort Maginnis, Montana Territory, and recommending an appropriation for the purpose of $25,000, as called for by the estimates.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 15th instant, from the Secretary of the Interior, with draft of bill and accompanying papers, touching the amendment of section 2142 of the Revised Statutes of the United States.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

OFFICE OF THE PRESIDENT OF THE UNITED STATES,
Washington, April 21, 1882.

To the Senate of the United States:

I transmit herewith a communication addressed to me by the Secretary of the Navy, with accompanying papers, in which an appropriation is asked for the purpose of observing the transit of Venus in 1882.

The matter is commended to the favorable action of Congress.

CHESTER A. ARTHUR.

[The same message was sent to the House of Representatives.]

EXECUTIVE MANSION, *April 25, 1882.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, presented in compliance with the request of the House of Representatives in a resolution of the 10th instant, asking for information touching the existing restrictions on the importation of American neat cattle into Great Britain.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 25, 1882.*

To the House of Representatives:

I transmit herewith, for the consideration of the House of Representatives, a report from the Secretary of State, in relation to the International Fisheries Exhibition which is to be held at London in May, 1883. Fully approving of the suggestions contained in the report, I would earnestly recommend that favorable action be taken upon the subject at the present session of Congress, in order that there may be ample time for making the appropriations necessary to enable this country to participate in the exhibition.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 26, 1882.*

To the Senate and House of Representatives:

By recent information received from official and other sources I am advised that an alarming state of disorder continues to exist within the

Territory of Arizona, and that lawlessness has already gained such head there as to require a resort to extraordinary means to repress it.

The governor of the Territory, under date of the 31st ultimo, reports that violence and anarchy prevail, particularly in Cochise County and along the Mexican border; that robbery, murder, and resistance to law have become so common as to cease causing surprise, and that the people are greatly intimidated and losing confidence in the protection of the law. I transmit his communication herewith and call especial attention thereto.

In a telegram from the General of the Army dated at Tucson, Ariz., on the 11th instant, herewith transmitted, that officer states that he hears of lawlessness and disorders which seem well attested, and that the civil officers have not sufficient force to make arrests and hold the prisoners for trial or punish them when convicted.

Much of this disorder is caused by armed bands of desperadoes known as "Cowboys," by whom depredations are not only committed within the Territory, but it is alleged predatory incursions are made therefrom into Mexico. In my message to Congress at the beginning of the present session I called attention to the existence of these bands and suggested that the setting on foot within our own territory of brigandage and armed marauding expeditions against friendly nations and their citizens be made punishable as an offense against the United States. I renew this suggestion.

To effectually repress the lawlessness prevailing within the Territory a prompt execution of the process of the courts and vigorous enforcement of the laws against offenders are needed. This the civil authorities there are unable to do without the aid of other means and forces than they can now avail themselves of. To meet the present exigencies the governor asks that provision be made by Congress to enable him to employ and maintain temporarily a volunteer militia force to aid the civil authorities, the members of which force to be invested with the same powers and authority as are conferred by the laws of the Territory upon peace officers thereof.

On the ground of economy as well as effectiveness, however, it appears to me to be more advisable to permit the cooperation with the civil authorities of a part of the Army as a *posse comitatus*. Believing that this, in addition to such use of the Army as may be made under the powers already conferred by section 5298, Revised Statutes, would be adequate to secure the accomplishment of the ends in view, I again call the attention of Congress to the expediency of so amending section 15 of the act of June 18, 1878, chapter 263, as to allow the military forces to be employed as a *posse comitatus* to assist the civil authorities within a Territory to execute the laws therein. This use of the Army, as I have in my former message observed, would not seem to be within the alleged evil against which that legislation was aimed.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 2, 1882.

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 30th of January last, calling for correspondence respecting the condition of Israelites in Russia, I transmit herewith a report from the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 2, 1882.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, in which he requests that an appropriation of $108,000 be made for constructing a fireproof roof over the south and east wings of the building occupied by the Department of the Interior.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 2, 1882.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 18th ultimo, a report of the Secretary of State, with copies of certain diplomatic correspondence* with Spain in 1876, called for by that resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 5, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, with accompanying papers, in relation to a proposed amendment of the act of the 15th December, 1880, providing for the disposal of the Fort Dodge Military Reservation, Kans.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 9, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, inclosing a letter from the Superintendent of Census, submitting an estimate for an appropriation of $80,000 to defray the expenses of the Census Office during the remainder of the present fiscal year.

CHESTER A. ARTHUR.

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*Relating to United States citizens condemned to death in Cuba, etc.

EXECUTIVE MANSION, *May 9, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, inclosing a letter from the Commissioner of the General Land Office, submitting an estimate for a special appropriation of $3,200 for completing an exhibit of all the private land claims in the State of Louisiana.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 11, 1882.*

To the Senate and House of Representatives:

I submit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, inclosing a copy of a letter from the governor of Arizona, in which he requests that an appropriation of $2,000 be made for the contingent expenses of the Territory for the next fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting a copy of a letter from the Commissioner of Pensions inviting attention to the fact that the "deficiency" appropriation of $16,000,000 to meet the June payment of army pensions should be available as early as the 25th instant if practicable, in order to avoid any delay in payment.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 11th instant, from the Secretary of the Interior, together with estimate of appropriation and accompanying papers, to provide, in accordance with treaty stipulations and existing laws, for the payment of certain interest due the Osage Indians.

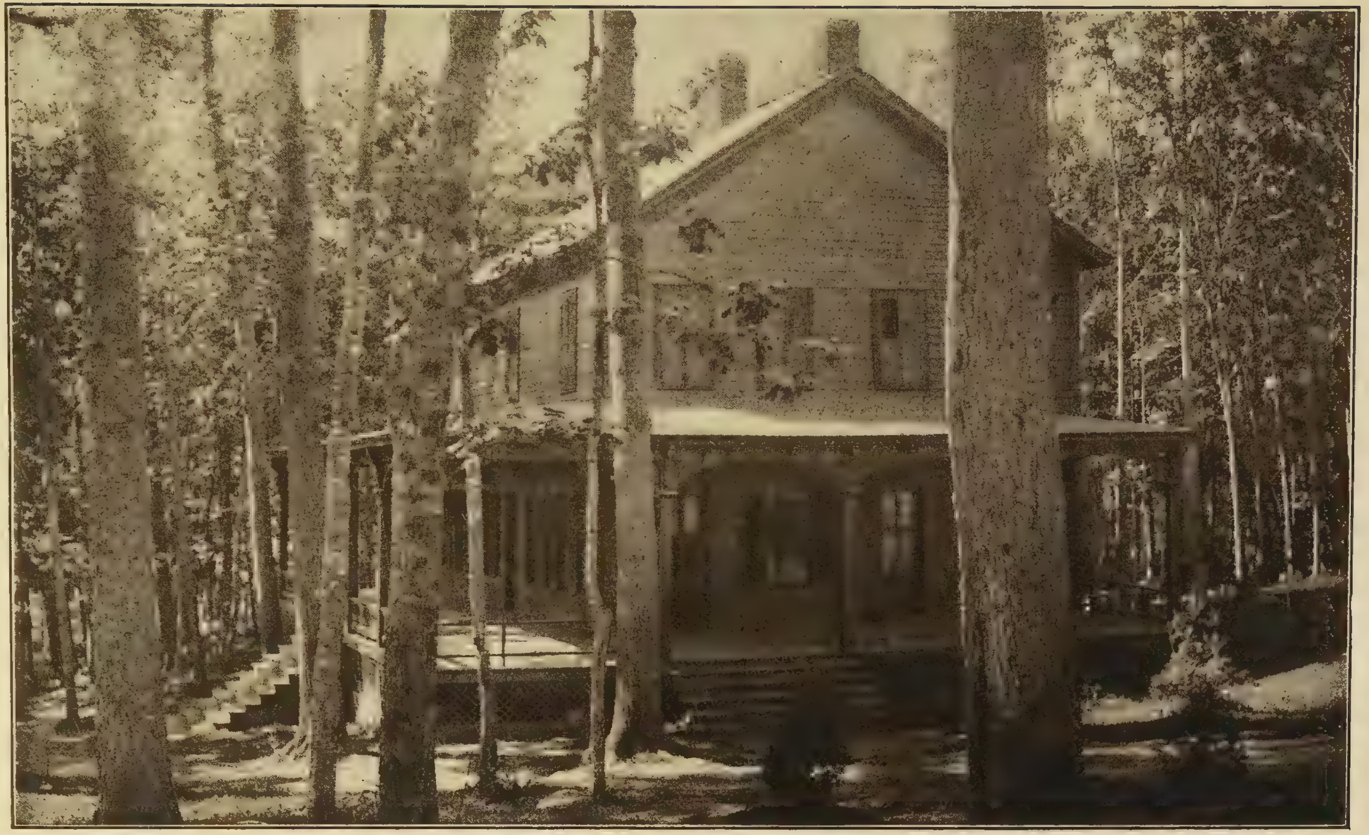
The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 15, 1882.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, with accompanying papers, submitted in response to the Senate resolution of the 21st of March last, requesting a copy of instructions given to Mr. George F.



DREXEL COTTAGE AT MT. McGREGOR, N. Y., WHERE GRANT DIED

THE DEATH OF ULYSSES S. GRANT.

No year of Grant's heroic life was more heroic than the last one. In 1884, the business firm with which he was nominally connected went into bankruptcy, and in old age the hero of the Civil War and ex-President found himself facing the world penniless. He had developed cancer of the throat, the shadow of death was already upon him, his power of speech was gone, and the constant pain from which he suffered was intense—but without a word of complaint he set himself doggedly to the task of providing for his wife after his death. The form which his efforts took was his autobiography; and despite the circumstances under which it was written, so fair and so comprehensive is it that it has remained a masterpiece of its kind. Students of history will be fond of comparing Grant's efforts with those of Sir Walter Scott under similar circumstances.

In July, 1885, it was apparent that the end was at hand. Grant was removed to Mount McGregor, near Saratoga Springs, New York, and there he died on July 23, 1885.

Seward, when minister to China, concerning Chinese immigration, etc., and Mr. Seward's dispatches on that subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 18, 1882.*

To the House of Representatives:

I transmit herewith a concluding report from the Secretary of State of the 17th instant, and its accompanying papers, relative to Thomas Shields and Charles Weber, who were imprisoned at Apan, Mexico, and whose cases formed the subject of the resolution of the House of Representatives of February 6, 1882.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 18, 1882.

To the Senate of the United States:

I transmit herewith a letter from the Secretary of State, accompanied by a copy of the correspondence referred to in Senate resolution of the 26th ultimo, in relation to the Japanese indemnity.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 22, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, dated 18th instant, and accompanying report from the Commissioner of Indian Affairs, relative to the necessity for buildings at the Mescalero Agency, N. Mex., and for an appropriation for the support, civilization, etc., of the Apaches at the Mescalero and Jicarilla agencies, together with an estimate for the same, in the form of a proposed clause for insertion in the sundry civil bill now pending for consideration in committee.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 22, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 18th instant, with accompanying papers, submitting the draft of a proposed clause for insertion in one of the pending appropriation bills, to provide for the payment for improvements made by certain settlers on the Round Valley Indian Reservation, in California, as appraised under the act approved March 3, 1873.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 22, 1882.*

To the House of Representatives:

I transmit herewith a letter from the Secretary of State and accompanying documents, submitted in compliance with resolution of the House of Representatives of the 20th ultimo, calling for additional information respecting cases of American citizens under arrest in Ireland.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 22, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of War, dated the 18th instant, and accompanying papers from the Acting Chief Signal Officer, representing the necessity of a special appropriation being made not later than the 1st of June proximo for the purpose of dispatching a vessel, with men and supplies, for the relief of the expedition which was last year sent to Lady Franklin Bay, Grinnell Land.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 24, 1882.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 1st of March last, I transmit a communication from the Secretary of the Navy, accompanied by the report (with the exception of such parts thereof as it is deemed incompatible with the public interests to furnish) of Commodore R. W. Shufeldt, United States Navy, of his cruise around the world in the United States steamer *Ticonderoga*.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 25, 1882.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, concerning the awards made against Venezuela by the mixed commission under the convention of April 25, 1866. I earnestly invite the attention of Congress to this communication and the accompanying inclosures. In case neither House takes action upon it during the present Congress I shall feel it my duty to direct that this prolonged discussion be definitely terminated by recognizing the absolute validity of all the awards.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 26, 1882.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 10th of April ultimo, calling upon the Secretary of State for information in regard to the restrictions imposed by the French Government upon pork exported from the United States, I transmit herewith a report of that officer and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 5, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 24th ultimo, with accompanying papers, submitting the draft of a proposed clause for insertion in one of the pending appropriation bills, to provide for the payment of certain legal services rendered to the Cherokee Indians in North Carolina in 1881, amounting to $150.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 5, 1882.

To the Senate of the United States:

In further answer to the Senate's resolution of the 12th of December last, I transmit herewith a report of the Secretary of State and its accompanying paper, in regard to the modification of the Clayton-Bulwer treaty.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 14, 1882.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, respecting the Louisiana private land claim of Antonio Vaca, deceased, to which, with the accompanying papers, I invite the attention of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 14, 1882.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 5th instant, a report from the Secretary of State, submitting copies of the full correspondence between the Department of State and Hon. William Henry Trescot, special envoy extraordinary to the Republics of Peru, Chile, and Bolivia, and Walker Blaine, Third Assistant Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 16, 1882.*

To the Senate and House of Representatives:

I submit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, in which he recommends that the sum of $245,000, the amount which the Superintendent estimates will be required to complete the work of the Tenth Census, be appropriated for the purpose.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 16, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 14th instant, covering plans and estimates for repairs, additions, and alterations to public buildings at the depot of the mounted recruiting service, Jefferson Barracks, Mo., and in which he recommends that the sum of $24,938.44 be appropriated for the purpose, in accordance with the estimates, during the present session of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 16, 1882.*

To the Senate:

I transmit herewith a report from the Secretary of State and its accompanying papers, concerning the Smoke Abatement Exhibition which was held at South Kensington, London, last winter.

CHESTER A. ARTHUR.

WASHINGTON, *June 16, 1882.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention between the United States and His Majesty the King of the Belgians, touching the reciprocal surrender of fugitives from justice, signed on the 13th day of June, 1882, and intended to supersede the convention for extradition of criminals between both countries which was concluded on the 19th day of March, 1874.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 19, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 16th instant, from the Secretary of the Interior, inclosing, with accompanying papers, a draft of a bill "to enlarge the Pawnee Indian Reservation in Indian Territory."

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 19, 1882.*

To the House of Representatives:

I transmit herewith a letter from the Secretary of State, referring a communication from the Mexican minister at this capital touching the arrest and imprisonment in Mexico of Thomas Shields and two other American citizens, to which the resolution of the House of Representatives of the 6th day of February last relates.

CHESTER A. ARTHUR.

WASHINGTON, *June 23, 1882.*

To the Senate of the United States:

I transmit herewith to the Senate, with a view to ratification, a convention between the United States and His Majesty the King of Spain, for securing reciprocal protection for the trade-marks and manufactured articles of their respective citizens and subjects within the dominions or territories of the other country, signed on the 19th day of June, 1882.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 26, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated the 9th instant, and its accompanying copy of the telegram from the general commanding the Military Division of the Pacific and Department of California, relative to the construction of additional quarters, barracks, storehouses, etc., within the limits of the Military Department of Arizona.

The Secretary of War recommends that for the purpose of constructing the additional buildings referred to the sum of their estimated cost, $205,000, be appropriated during the present session of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 28, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 22d instant, with accompanying papers, submitting the draft of a proposed clause for insertion in one of the pending appropriation bills, to provide for the payment for improvements made by certain settlers on the Jicarilla Apache Indian Reservation, in New Mexico.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 3, 1882.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 25th of April last, calling for information in regard to the reassembling of the Paris Monetary Conference during the current year and other matters connected therewith, I transmit herewith a report on the subject and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 20, 1882.

To the Senate of the United States:

I transmit herewith a report of the Secretary of State and accompanying papers, furnished in response to the resolution of the Senate of December 21, 1881, calling for the correspondence with the Mexican Government in regard to the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 20, 1882.

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, which was signed on the 13th instant.

A report of the Secretary of State, with its accompanying correspondence, transmitted to the Senate this day in response to the resolution of December 21, 1881, will show the antecedents of the negotiation which resulted in the accompanying convention. In view of the accumulation of testimony presented by Mexico relative to these two claims, I have deemed it proper to avail myself of the authority given to the Executive by the Constitution, and of which authority the act of Congress of June 18, 1878, is declarative, to effect a rehearing of these cases. I therefore empowered the Secretary of State to negotiate with the minister of Mexico a convention to that end.

The more important correspondence preliminary to the treaty is herewith transmitted.

It will be seen by the stipulations of the treaty that the rehearing will have no retroactive effect as to payments already distributed, that the *bona fide* interests of third parties are amply secured, and that the Government of the United States is fully guarded against any liability resulting from the rehearing.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 20, 1882.

To the Senate of the United States:

I transmit herewith to the Senate, for consideration with a view to ratification, a supplementary convention between the United States and the French Republic, signed at Washington on the 19th instant, extending the term of duration of the commission organized under the convention of January 15, 1880, between the two countries.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 29, 1882.

To the Senate of the United States:

I transmit herewith, in response to the Senate resolution of the 15th instant, a report of the Secretary of State and accompanying papers, relating to the Clayton-Bulwer treaty.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 29, 1882.

To the Senate of the United States:

I transmit herewith to the Senate, for consideration with a view to ratification, a treaty between the United States and the Kingdom of Korea, or Chosen, concluded on the 22d May last. For the information of the Senate the accompanying letter of the Secretary of State is also transmitted.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, August 1, 1882.

To the Senate of the United States:

I transmit herewith to the Senate, for consideration with a view to ratification, a convention concluded on the 29th of July, 1882, between the United States and Mexico, providing for an international boundary survey to relocate the existing frontier line between the two countries west of the Rio Grande.

CHESTER A. ARTHUR.

OFFICE OF THE PRESIDENT OF THE UNITED STATES,
Washington, August 4, 1882.

To the Senate of the United States:

In reply to a resolution of the Senate passed April 25, 1882, I transmit herewith a communication, with accompanying papers, from the Secretary of the Navy, in relation to the title by which the United States holds the land now occupied as a navy-yard at Boston, Mass.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *August 5, 1882.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, submitted in compliance with the resolution of the House of Representatives of the 28th of June, calling for additional information respecting the case of American citizens under arrest in Ireland.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, August 7, 1882.

To the Senate of the United States:

I transmit herewith to the Senate, with a view to ratification, a convention concluded this day between the United States of America and His Majesty the King of Spain, supplementary to the extradition convention concluded between said countries on the 5th day of January, 1877.

CHESTER A. ARTHUR.

VETO MESSAGES.

EXECUTIVE MANSION,
Washington, April 4, 1882.

To the Senate of the United States:

After careful consideration of Senate bill No. 71, entitled "An act to execute certain treaty stipulations relating to Chinese," I herewith return it to the Senate, in which it originated, with my objections to its passage.

A nation is justified in repudiating its treaty obligations only when they are in conflict with great paramount interests. Even then all possible reasonable means for modifying or changing those obligations by mutual agreement should be exhausted before resorting to the supreme right of refusal to comply with them.

These rules have governed the United States in their past intercourse with other powers as one of the family of nations. I am persuaded that if Congress can feel that this act violates the faith of the nation as pledged to China it will concur with me in rejecting this particular mode of regulating Chinese immigration, and will endeavor to find another which shall meet the expectations of the people of the United States without coming in conflict with the rights of China.

The present treaty relations between that power and the United States spring from an antagonism which arose between our paramount domestic interests and our previous relations.

The treaty commonly known as the Burlingame treaty conferred upon Chinese subjects the right of voluntary emigration to the United States for the purposes of curiosity or trade or as permanent residents, and was in all respects reciprocal as to citizens of the United States in China. It gave to the voluntary emigrant coming to the United States the right to travel there or to reside there, with all the privileges, immunities, or exemptions enjoyed by the citizens or subjects of the most favored nation.

Under the operation of this treaty it was found that the institutions of the United States and the character of its people and their means of obtaining a livelihood might be seriously affected by the unrestricted introduction of Chinese labor. Congress attempted to alleviate this condition by legislation, but the act which it passed proved to be in violation of our treaty obligations, and, being returned by the President with his objections, failed to become a law.

Diplomatic relief was then sought. A new treaty was concluded with China. Without abrogating the Burlingame treaty, it was agreed to modify it so far that the Government of the United States might regulate, limit, or suspend the coming of Chinese laborers to the United States or their residence therein, but that it should not absolutely prohibit them, and that the limitation or suspension should be reasonable and should apply only to Chinese who might go to the United States as laborers, other classes not being included in the limitations. This treaty is unilateral, not reciprocal. It is a concession from China to the United States in limitation of the rights which she was enjoying under the Burlingame treaty. It leaves us by our own act to determine when and how we will enforce those limitations. China may therefore fairly have a right to expect that in enforcing them we will take good care not to overstep the grant and take more than has been conceded to us.

It is but a year since this new treaty, under the operation of the Constitution, became part of the supreme law of the land, and the present act is the first attempt to exercise the more enlarged powers which it relinquishes to the United States.

In its first article the United States is empowered to decide whether the coming of Chinese laborers to the United States or their residence therein affects or threatens to affect our interests or to endanger good order, either within the whole country or in any part of it. The act recites that "in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities thereof." But the act itself is much broader than the recital. It acts upon residence as well as immigration, and its provisions are effective throughout the United States. I think it may fairly be accepted as an expression of the opinion of Congress that the coming of such laborers to the United States or their residence here affects our interests and endangers good order throughout the country. On this point I should feel it my duty to accept the views of Congress.

The first article further confers the power upon this Government to regulate, limit, or suspend, but not actually to prohibit, the coming of such laborers to or their residence in the United States. The negotiators of the treaty have recorded with unusual fullness their understanding of the sense and meaning with which these words were used.

As to the class of persons to be affected by the treaty, the Americans inserted in their draft a provision that the words "Chinese laborers" signify all immigration other than that for "teaching, trade, travel, study, and curiosity." The Chinese objected to this that it operated to include artisans in the class of laborers whose immigration might be forbidden. The Americans replied that they "could" not consent that artisans shall be excluded from the class of Chinese laborers, for it is this very competition of skilled labor in the cities where the Chinese labor immigration concentrates which has caused the embarrassment and popular discontent. In the subsequent negotiations this definition dropped out, and does not appear in the treaty. Article II of the treaty confers the rights, privileges, immunities, and exemptions which are accorded to citizens and subjects of the most favored nation upon Chinese subjects proceeding to the United States as teachers, students, merchants, or from curiosity. The American commissioners report that the Chinese Government claimed that in this article they did by exclusion provide that nobody should be entitled to claim the benefit of the general provisions of the Burlingame treaty but those who might go to the United States in those capacities or for those purposes. I accept this as the definition of the word "laborers" as used in the treaty.

As to the power of legislating respecting this class of persons, the new treaty provides that we "may not absolutely prohibit" their coming or their residence. The Chinese commissioners gave notice in the outset that they would never agree to a prohibition of voluntary emigration. Notwithstanding this the United States commissioners submitted a draft, in which it was provided that the United States might "regulate, limit, suspend, or prohibit" it. The Chinese refused to accept this. The Americans replied that they were "willing to consult the wishes of the Chinese Government in preserving the principle of free intercourse between the people of the two countries, as established by existing treaties, provided that the right of the United States Government to use its discretion in guarding against any possible evils of immigration of Chinese laborers is distinctly recognized. Therefore if such concession removes all difficulty on the part of the Chinese commissioners (but only in that case) the United States commissioners will agree to remove the word 'prohibit' from their article and to use the words 'regulate, limit, or suspend.'" The Chinese reply to this can only be inferred from the fact that in the place of an agreement, as proposed by our commissioners, that we might prohibit the coming or residence of Chinese laborers, there was inserted in the treaty an agreement that we might not do it.

The remaining words, "regulate, limit, and suspend," first appear in the American draft. When it was submitted to the Chinese, they said:

> We infer that of the phrases regulate, limit, suspend, or prohibit, the first is a general expression referring to the others. * * * We are entirely ready to negotiate with your excellencies to the end that a limitation either in point of time or of numbers may be fixed upon the emigration of Chinese laborers to the United States.

At a subsequent interview they said that "by limitation in number they meant, for example, that the United States, having, as they supposed, a record of the number of immigrants in each year, as well as the total number of Chinese now there, that no more should be allowed to go in any one year in future than either the greatest number which had gone in any year in the past, or that the total number should never be allowed to exceed the number now there. As to limitation of time they meant, for example, that Chinese should be allowed to go in alternate years, or every third year, or, for example, that they should not be allowed to go for two, three, or five years."

At a subsequent conference the Americans said:

> The Chinese commissioners have in their project explicitly recognized the right of the United States to use some discretion, and have proposed a limitation as to time and number. This *is* the right to regulate, limit, or suspend.

In one of the conferences the Chinese asked the Americans whether they could give them any idea of the laws which would be passed to carry the powers into execution. The Americans answered that this could hardly be done; that the United States Government might never deem it necessary to exercise this power. It would depend upon circumstances. If Chinese immigration concentrated in cities where it threatened public order, or if it confined itself to localities where it was an injury to the interests of the American people, the Government of the United States would undoubtedly take steps to prevent such accumulations of Chinese. If, on the contrary, there was no large immigration, or if there were sections of the country where such immigration was clearly beneficial, then the legislation of the United States under this power would be adapted to such circumstances. For example, there might be a demand for Chinese labor in the South and a surplus of such labor in California, and Congress might legislate in accordance with these facts. In general the legislation would be in view of and depend upon the circumstances of the situation at the moment such legislation became necessary. The Chinese commissioners said this explanation was satisfactory; that they had not intended to ask for a draft of any special act, but for some general idea how the power would be exercised. What had just been said gave them the explanation which they wanted.

With this entire accord as to the meaning of the words they were about to employ and the object of the legislation which might be had in consequence, the parties signed the treaty, in Article I of which—

> The Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation, or suspension of immigration.

The first section of the act provides that—

> From and after the expiration of sixty days next after the passage of this act, and until the expiration of twenty years next after the passage of this act, the coming of Chinese laborers be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said sixty days, to remain within the United States.

The examination which I have made of the treaty and of the declarations which its negotiators have left on record of the meaning of its language leaves no doubt in my mind that neither contracting party in concluding the treaty of 1880 contemplated the passage of an act prohibiting immigration for twenty years, which is nearly a generation, or thought that such a period would be a reasonable suspension or limitation, or intended to change the provisions of the Burlingame treaty to that extent. I regard this provision of the act as a breach of our national faith, and being unable to bring myself in harmony with the views of Congress on this vital point the honor of the country constrains me to return the act with this objection to its passage.

Deeply convinced of the necessity of some legislation on this subject, and concurring fully with Congress in many of the objects which are sought to be accomplished, I avail myself of the opportunity to point out some other features of the present act which. in my opinion, can be modified to advantage.

The classes of Chinese who still enjoy the protection of the Burlingame treaty are entitled to the privileges, immunities, and exemptions accorded to citizens and subjects of the most favored nation. We have treaties with many powers which permit their citizens and subjects to reside within the United States and carry on business under the same laws and regulations which are enforced against citizens of the United States. I think it may be doubted whether provisions requiring personal registration and the taking out of passports which are not imposed upon natives can be required of Chinese. Without expressing an opinion on that point, I may invite the attention of Congress to the fact that the system of personal registration and passports is undemocratic and hostile to the spirit of our institutions. I doubt the wisdom of putting an entering wedge of this kind into our laws. A nation like the United States, jealous of the liberties of its citizens, may well hesitate before it incorporates into its polity a system which is fast disappearing in Europe before the progress of liberal institutions. A wide experience has shown how futile such precautions are, and how easily passports may be borrowed, exchanged, or even forged by persons interested to do so.

If it is, nevertheless, thought that a passport is the most convenient way for identifying the Chinese entitled to the protection of the Burlingame treaty, it may still be doubted whether they ought to be required to register. It is certainly our duty under the Burlingame treaty to make their stay in the United States, in the operation of general laws upon them, as nearly like that of our own citizens as we can consistently with our right to shut out the laborers. No good purpose is served in requiring them to register.

My attention has been called by the Chinese minister to the fact that the bill as it stands makes no provision for the transit across the United States of Chinese subjects now residing in foreign countries. I think that this point may well claim the attention of Congress in legislating on this subject.

I have said that good faith requires us to suspend the immigration of Chinese laborers for a less period than twenty years; I now add that good policy points in the same direction.

Our intercourse with China is of recent date. Our first treaty with that power is not yet forty years old. It is only since we acquired California and established a great seat of commerce on the Pacific that we may be said to have broken down the barriers which fenced in that ancient Monarchy. The Burlingame treaty naturally followed. Under the spirit which inspired it many thousand Chinese laborers came to the United States. No one can say that the country has not profited by their work. They were largely instrumental in constructing the railways which connect the Atlantic with the Pacific. The States of the Pacific Slope are full of evidences of their industry. Enterprises profitable alike to the capitalist and to the laborer of Caucasian origin would have lain dormant but for them. A time has now come when it is supposed that they are not needed, and when it is thought by Congress and by those most acquainted with the subject that it is best to try to get along without them. There may, however, be other sections of the country where this species of labor may be advantageously employed without interfering with the laborers of our own race. In making the proposed experiment it may be the part of wisdom as well as of good faith to fix the length of the experimental period with reference to this fact.

Experience has shown that the trade of the East is the key to national wealth and influence. The opening of China to the commerce of the whole world has benefited no section of it more than the States of our own Pacific Slope. The State of California, and its great maritime port especially, have reaped enormous advantages from this source. Blessed with an exceptional climate, enjoying an unrivaled harbor, with the riches of a great agricultural and mining State in its rear and the wealth of the whole Union pouring into it over its lines of railway, San Francisco has before it an incalculable future if our friendly and amicable relations with Asia remain undisturbed. It needs no argument to show that the policy which we now propose to adopt must have a direct tendency to repel Oriental nations from us and to drive their trade and commerce into more friendly lands. It may be that the great and paramount interest of protecting our labor from Asiatic competition may justify us in a permanent adoption of this policy; but it is wiser in the first place to make a shorter experiment, with a view hereafter of maintaining permanently only such features as time and experience may commend.

I transmit herewith copies of the papers relating to the recent treaty with China, which accompanied the confidential message of President Hayes to the Senate of the 10th January, 1881, and also a copy of a memorandum respecting the act herewith returned, which was handed to the Secretary of State by the Chinese minister in Washington.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 1, 1882.*

To the House of Representatives of the United States:

Herewith I return House bill No. 2744, entitled "An act to regulate the carriage of passengers by sea," without my approval. In doing this I regret that I am not able to give my assent to an act which has received the sanction of the majority of both Houses of Congress.

The object proposed to be secured by the act is meritorious and philanthropic. Some correct and accurate legislation upon this subject is undoubtedly necessary. Steamships that bring large bodies of emigrants must be subjected to strict legal enactments, so as to prevent the passengers from being exposed to hardship and suffering; and such legislation should be made as will give them abundance of space and air and light, protecting their health by affording all reasonable comforts and conveniences and by providing for the quantity and quality of the food to be furnished and all of the other essentials of roomy, safe, and healthful accommodations in their passage across the sea.

A statute providing for all this is absolutely needed, and in the spirit of humane legislation must be enacted. The present act, by most of its provisions, will obtain and secure this protection for such passengers, and were it not for some serious errors contained in it it would be most willingly approved by me.

My objections are these: In the first section, in lines from 13 to 24, inclusive, it is provided "that the compartments or spaces," etc., "shall be of sufficient dimensions to allow for each and any passenger," etc., "100 cubic feet, if the compartment or space is located on the first deck next below the uppermost deck of the vessel," etc., "or 120 cubic feet for each passenger," etc., "if the compartment or space is located on the second deck below the uppermost deck of the vessel,'' etc. ''It shall not be lawful to carry or bring passengers on any deck other than the two decks mentioned,'' etc.

Nearly all of the new and most of the improved ocean steamers have a spar deck, which is above the main deck. The main deck was in the old style of steamers the only uppermost deck. The spar deck is a comparatively new feature of the large and costly steamships, and is now practically the uppermost deck. Below this spar deck is the main deck. Because of the misuse of the words ''uppermost deck'' instead of the use of the words ''main deck'' by this act, the result will be to exclude nearly all of the large steamships from carrying passengers anywhere but on the main deck and on the deck below, which is the steerage deck, and to leave the orlop, or lower deck, heretofore used for passengers, useless and unoccupied by passengers. This objection, which is now presented in connection with others that will be presently explained, will, if this act is enforced as it is now phrased, render useless for passenger traffic and expose to heavy loss all of the great ocean steam lines; and it will also hinder emigration, as there will not be ships enough that could accept these conditions to carry all who may now wish to come.

The use of the new and the hitherto unknown term ''uppermost deck'' creates this difficulty, and I can not consent to have an abuse of terms like this to operate thus injuriously to these large fleets of ships. The passengers will not be benefited by such a statute, but emigration will be hindered, if not for a while almost prevented for many.

Again, the act in the first section, from line 31 to line 35, inclusive, provides: ''And such passengers shall not be carried or brought in any between-decks, nor in any compartment,'' etc., ''the clear height of which is less than 7 feet.'' Between the decks of all ships are the beams; they are about a foot in width. The legal method of ascertaining tonnage for the purpose of taxation is to measure between the beams from the floor to the ceiling. If this becomes a law the space required would be 8 feet from floor to ceiling, and this is impracticable, for in all ships the spaces between decks are adjusted in proportion to the dimensions of the ship; and if these spaces between decks are changed so as not to correspond in their proportions with the dimensions of the vessel, the ship will not work well in the sea, her sailing qualities will be injured, and she will be rendered unfit for service.

It is only in great ships of vast tonnage that the height between decks can be increased. All the ordinary-sized ships are necessarily constructed with 7 feet space in the interval between the beams from the floor to the ceiling. To adopt this act, with this provision, would be to drive out of the service of transporting passengers most all of the steamships now in such trade, and no practical good obtained by it, for really, with the exception of the narrow beam, the space between the decks is now 7 feet. The purpose of the space commanded by the act is to obtain sufficient air and ventilation, and that is actually now given to the passenger by the 7 feet that exists in all of these vessels between floor and ceiling.

There is also another objection that I must suggest. In section 12, from line 14 to line 24, it is provided: "Before such vessel shall be cleared or may lawfully depart," etc., "the master of said vessel shall furnish," etc, "a correct list of all passengers who have been or are intended to be taken on board the vessel, and shall specify," etc. This provision would prevent the clearing of the vessel. Steam vessels start at an appointed hour and with punctuality. Down almost to the very hour of their departure new passengers, other than those who have engaged their passage, constantly come on board. If this provision is to be the law, they must be rejected, for the ship can not, without incurring heavy penalties, take passengers whose names are not set forth on the list required before such vessel shall be cleared. They should be allowed to take such new passengers upon condition that they would furnish an additional list containing such persons' names. There are other points of objection of a minor character that might be presented for consideration if the bill could be reconsidered and amended, but the three that I have recited are conspicuous defects in a bill that ought to be a code for such a purpose, clear and explicit, free from all such objections. The practical result of this law would be to subject all of the competing lines of large ocean steamers to great losses. By restricting their carrying accommodations it would also stay the current of emigration that it is our policy to encourage as well as to protect. A good bill, correctly phrased, and expressing and naming in plain, well-known technical terms the proper and usual places and decks where passengers are and ought to be placed and carried, will receive my prompt and immediate assent as a public necessity and blessing.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *August 1, 1882.*

To the House of Representatives:

Having watched with much interest the progress of House bill No 6242, entitled "An act making appropriations for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes," and having since it was received carefully examined it, after mature consideration I am constrained to return it herewith to the House of Representatives, in which it originated, without my signature and with my objections to its passage.

Many of the appropriations in the bill are clearly for the general welfare and most beneficent in their character. Two of the objects for which provision is made were by me considered so important that I felt it my duty to direct to them the attention of Congress. In my annual message in December last I urged the vital importance of legislation for the reclamation of the marshes and for the establishment of the harbor lines along the Potomac front. In April last, by special message, I recommended an appropriation for the improvement of the Mississippi River. It is not necessary that I say that when my signature would make the bill appropriating for these and other valuable national objects a law it is with great reluctance and only under a sense of duty that I withhold it.

My principal objection to the bill is that it contains appropriations for purposes not for the common defense or general welfare, and which do not promote commerce among the States. These provisions, on the contrary, are entirely for the benefit of the particular localities in which it is proposed to make the improvements. I regard such appropriation of the public money as beyond the powers given by the Constitution to Congress and the President.

I feel the more bound to withhold my signature from the bill because of the peculiar evils which manifestly result from this infraction of the Constitution. Appropriations of this nature, to be devoted purely to local objects, tend to an increase in number and in amount. As the citizens of one State find that money, to raise which they in common with the whole country are taxed, is to be expended for local improvements in another State, they demand similar benefits for themselves, and it is not unnatural that they should seek to indemnify themselves for such use of the public funds by securing appropriations for similar improvements in their own neighborhood. Thus as the bill becomes more objectionable it secures more support. This result is invariable and necessarily follows a neglect to observe the constitutional limitations imposed upon the lawmaking power.

The appropriations for river and harbor improvements have, under the influences to which I have alluded, increased year by year out of proportion to the progress of the country, great as that has been. In 1870 the aggregate appropriation was $3,975,900; in 1875, $6,648,517.50; in 1880, $8,976,500; and in 1881, $11,451,000; while by the present act there is appropriated $18,743,875.

While feeling every disposition to leave to the Legislature the responsibility of determining what amount should be appropriated for the purposes of the bill, so long as the appropriations are confined to objects indicated by the grant of power, I can not escape the conclusion that, as a part of the lawmaking power of the Government, the duty devolves upon me to withhold my signature from a bill containing appropriations which in my opinion greatly exceed in amount the needs of the country for the present fiscal year. It being the usage to provide money for these purposes by annual appropriation bills, the President is in effect directed to expend so large an amount of money within so brief a period that the expenditure can not be made economically and advantageously.

The extravagant expenditure of public money is an evil not to be measured by the value of that money to the people who are taxed for it.

They sustain a greater injury in the demoralizing effect produced upon those who are intrusted with official duty through all the ramifications of government.

These objections could be removed and every constitutional purpose readily attained should Congress enact that one-half only of the aggregate amount provided for in the bill be appropriated for expenditure during the fiscal year, and that the sum so appropriated be expended only for such objects named in the bill as the Secretary of War, under the direction of the President, shall determine; provided that in no case shall the expenditure for any one purpose exceed the sum now designated by the bill for that purpose.

I feel authorized to make this suggestion because of the duty imposed upon the President by the Constitution "to recommend to the consideration of Congress such measures as he shall judge necessary and expedient," and because it is my earnest desire that the public works which are in progress shall suffer no injury. Congress will also convene again in four months, when this whole subject will be open for their consideration.

CHESTER A. ARTHUR.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided in the laws of the United States that—

> Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce by the ordinary course of judicial proceedings the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed or the execution thereof forcibly obstructed.

And whereas it has been made to appear satisfactorily to me, by information received from the governor of the Territory of Arizona and from the General of the Army of the United States and other reliable sources, that in consequence of unlawful combinations of evil-disposed persons who are banded together to oppose and obstruct the execution of the laws it has become impracticable to enforce by the ordinary course of judicial proceedings the laws of the United States within that Territory, and that the laws of the United States have been therein forcibly opposed and the execution thereof forcibly resisted; and

Whereas the laws of the United States require that whenever it may be necessary, in the judgment of the President, to use the military forces for the purpose of enforcing the faithful execution of the laws of the United States, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time:

Now, therefore, I, Chester A. Arthur, President of the United States, do hereby admonish all good citizens of the United States, and especially of the Territory of Arizona, against aiding, countenancing, abetting, or taking part in any such unlawful proceedings; and I do hereby warn all persons engaged in or connected with said obstruction of the laws to disperse and retire peaceably to their respective abodes on or before noon of the 15th day of May.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 3d day of May, A. D. 1882, and of the Independence of the United States the one hundred and sixth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

In conformity with a custom the annual observance of which is justly held in honor by this people, I, Chester A. Arthur, President of the United States, do hereby set apart Thursday, the 30th day of November next, as a day of public thanksgiving.

The blessings demanding our gratitude are numerous and varied. For the peace and amity which subsist between this Republic and all the nations of the world; for the freedom from internal discord and violence; for the increasing friendship between the different sections of the land; for liberty, justice, and constitutional government; for the devotion of the people to our free institutions and their cheerful obedience to mild laws; for the constantly increasing strength of the Republic while extending its privileges to fellow-men who come to us; for the improved means of internal communication and the increased facilities of intercourse with other nations; for the general prevailing health of the year; for the prosperity of all our industries, the liberal return for the mechanic's toil affording a market for the abundant harvests of the husbandman;

for the preservation of the national faith and credit; for wise and generous provision to effect the intellectual and moral education of our youth; for the influence upon the conscience of a restraining and transforming religion, and for the joys of home—for these and for many other blessings we should give thanks.

Wherefore I do recommend that the day above designated be observed throughout the country as a day of national thanksgiving and prayer, and that the people, ceasing from their daily labors and meeting in accordance with their several forms of worship, draw near to the throne of Almighty God, offering to Him praise and gratitude for the manifold goodness which He has vouchsafed to us and praying that His blessings and His mercies may continue.

And I do further recommend that the day thus appointed be made a special occasion for deeds of kindness and charity to the suffering and the needy, so that all who dwell within the land may rejoice and be glad in this season of national thanksgiving.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of October, A. D. 1882, and of the Independence of the United States the one hundred and seventh.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

EXECUTIVE ORDERS.

To Collectors of Customs:

TREASURY DEPARTMENT, *March 30, 1882.*

Under the provisions of section 1955, Revised Statutes, so much of Department instructions of July 3, 1875,* approved by the President, as prohibits the importation and use of breech-loading rifles and suitable ammunition therefor into and within the limits of the Territory of Alaska is hereby amended and modified so as to permit emigrants who intend to become actual *bona fide* settlers upon the mainland to ship to the care of the collector of customs at Sitka, for their own personal protection and for the hunting of game, not exceeding one such rifle and suitable ammunition therefor to each male adult; also to permit actual *bona fide* residents of the mainland of Alaska (not including Indians or traders), upon application to the collector and with his approval, to order and ship for personal use such arms and ammunition to his care, not exceeding one rifle for each such person, and proper ammunition.

The sale of such arms and ammunition is prohibited except by persons about to leave the Territory, and then only to *bona fide* residents (excluding Indians and traders) upon application to and with the approval of the collector.

H. F. FRENCH, *Acting Secretary.*

Approved:

CHESTER A. ARTHUR.

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*See Vol. VII, p. 4282.

CHESTER A. ARTHUR, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom these presents shall come, greeting:

Whereas on the 10th day of January, 1863, Fitz John Porter, then major-general of volunteers in the military service of the United States, and also colonel of the Fifteenth Regiment of Infantry and brevet brigadier-general in the United States Army, was by a general court-martial, for certain offenses of which he had been thereby convicted, sentenced "to be cashiered and to be forever disqualified from holding any office of trust or profit under the Government of the United States;" and

Whereas on the 21st day of January, 1863, that sentence was duly confirmed by the President of the United States, and by his order of the same date carried into execution; and

Whereas so much of that sentence as forever disqualified the said Fitz John Porter from holding office imposed upon him a continuing penalty and is still being executed; and

Whereas doubts have since arisen concerning the guilt of the said Fitz John Porter of the offenses whereof he was convicted by the said court-martial, founded upon the result of an investigation ordered on the 12th day of April, 1878, by the President of the United States, which are deemed by me to be of sufficient gravity to warrant the remission of that part of said sentence which has not yet been completely executed:

Now, therefore, know ye that I, Chester A. Arthur, President of the United States, by virtue of the power vested in me by the Constitution of the United States and in consideration of the premises, do hereby grant to the said Fitz John Porter full remission of the hereinbefore-mentioned continuing penalty.

In witness whereof I have hereunto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington, this 4th day of May, A. D. 1882, and of the Independence of the United States the one hundred and sixth.

[SEAL.]

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

EXECUTIVE MANSION, *Washington, May 26, 1882.*

SIR:* I am directed by the President to inform you that the several Departments of the Government will be closed on Tuesday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

Very respectfully,

FRED. J. PHILLIPS, *Private Secretary.*

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*Addressed to the heads of the Executive Departments, etc.

WAR DEPARTMENT,
Washington, July 13, 1882.

I. By direction of the President, the Military Department of West Point will be discontinued September 1, 1882.

II. By direction of the President, sections 1 and 2 of Article I of the general regulations for the United States Military Academy are hereby amended to read as follows:

> 1. The General of the Army, under the War Department, shall have supervision and charge of the United States Military Academy. He will watch over its administration and discipline and the instruction of the Corps of Cadets, and will make reports thereof to the Secretary of War.
>
> 2. The Superintendent, and in his absence the next in rank, shall have the immediate government and military command of the Academy, and shall be commandant of the military post of West Point. The Superintendent will render, through the Adjutant-General, to the General of the Army, for submission to the Secretary of War, all required reports, returns, and estimates concerning the Academy.

ROBERT T. LINCOLN,
Secretary of War.

SECOND ANNUAL MESSAGE.

WASHINGTON, *December 4, 1882*

To the Senate and House of Representatives of the United States:

It is provided by the Constitution that the President shall from time to time give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient.

In reviewing the events of the year which has elapsed since the commencement of your sessions, I first call your attention to the gratifying condition of our foreign affairs. Our intercourse with other powers has continued to be of the most friendly character.

Such slight differences as have arisen during the year have been already settled or are likely to reach an early adjustment. The arrest of citizens of the United States in Ireland under recent laws which owe their origin to the disturbed condition of that country has led to a somewhat extended correspondence with the Government of Great Britain. A disposition to respect our rights has been practically manifested by the release of the arrested parties.

The claim of this nation in regard to the supervision and control of any interoceanic canal across the American Isthmus has continued to be the subject of conference.

It is likely that time will be more powerful than discussion in removing the divergence between the two nations whose friendship is so closely cemented by the intimacy of their relations and the community of their interests.

Our long-established friendliness with Russia has remained unshaken. It has prompted me to proffer the earnest counsels of this Government that measures be adopted for suppressing the proscription which the Hebrew race in that country has lately suffered. It has not transpired that any American citizen has been subjected to arrest or injury, but our courteous remonstrance has nevertheless been courteously received. There is reason to believe that the time is not far distant when Russia will be able to secure toleration to all faiths within her borders.

At an international convention held at Paris in 1880, and attended by representatives of the United States, an agreement was reached in respect to the protection of trade-marks, patented articles, and the rights of manufacturing firms and corporations. The formulating into treaties of the recommendations thus adopted is receiving the attention which it merits.

The protection of submarine cables is a subject now under consideration by an international conference at Paris. Believing that it is clearly the true policy of this Government to favor the neutralization of this means of intercourse, I requested our minister to France to attend the convention as a delegate. I also designated two of our eminent scientists to attend as our representatives at the meeting of an international committee at Paris for considering the adoption of a common unit to measure electric force.

In view of the frequent occurrence of conferences for the consideration of important matters of common interest to civilized nations, I respectfully suggest that the Executive be invested by Congress with discretionary powers to send delegates to such conventions, and that provision be made to defray the expenses incident thereto.

The difference between the United States and Spain as to the effect of a judgment and certificate of naturalization has not yet been adjusted, but it is hoped and believed that negotiations now in progress will result in the establishment of the position which seems to this Government so reasonable and just.

I have already called the attention of Congress to the fact that in the ports of Spain and its colonies onerous fines have lately been imposed upon vessels of the United States for trivial technical offenses against local regulations. Efforts for the abatement of these exactions have thus far proved unsuccessful.

I regret to inform you also that the fees demanded by Spanish consuls in American ports are in some cases so large, when compared with the value of the cargo, as to amount in effect to a considerable export duty, and that our remonstrances in this regard have not as yet received the attention which they seem to deserve.

The German Government has invited the United States to participate in an international exhibition of domestic cattle to be held at Hamburg in July, 1883. If this country is to be represented, it is important that in the early days of this session Congress should make a suitable appropriation for that purpose.

The death of Mr. Marsh, our late minister to Italy, has evoked from that Government expressions of profound respect for his exalted character and for his honorable career in the diplomatic service of his country. The Italian Government has raised a question as to the propriety of recognizing in his dual capacity the representative of this country recently accredited both as secretary of legation and as consul-general at Rome. He has been received as secretary, but his exequatur as consul-general has thus far been withheld.

The extradition convention with Belgium, which has been in operation since 1874, has been lately supplanted by another. The Senate has signified its approval, and ratifications have been duly exchanged between the contracting countries. To the list of extraditable crimes has been added that of the assassination or attempted assassination of the chief of the State.

Negotiations have been opened with Switzerland looking to a settlement by treaty of the question whether its citizens can renounce their allegiance and become citizens of the United States without obtaining the consent of the Swiss Government.

I am glad to inform you that the immigration of paupers and criminals from certain of the Cantons of Switzerland has substantially ceased and is no longer sanctioned by the authorities.

The consideration of this subject prompts the suggestion that the act of August 3, 1882, which has for its object the return of foreign convicts to their own country, should be so modified as not to be open to the interpretation that it affects the extradition of criminals on preferred charges of crime.

The Ottoman Porte has not yet assented to the interpretation which this Government has put upon the treaty of 1830 relative to its jurisdictional rights in Turkey. It may well be, however, that this difference will be adjusted by a general revision of the system of jurisdiction of the United States in the countries of the East, a subject to which your attention has been already called by the Secretary of State.

In the interest of justice toward China and Japan, I trust that the question of the return of the indemnity fund to the Governments of those countries will reach at the present session the satisfactory solution which I have already recommended, and which has recently been foreshadowed by Congressional discussion.

The treaty lately concluded with Korea awaits the action of the Senate.

During the late disturbance in Egypt the timely presence of American vessels served as a protection to the persons and property of many of our own citizens and of citizens of other countries, whose governments have expressed their thanks for this assistance.

The recent legislation restricting immigration of laborers from China has given rise to the question whether Chinese proceeding to or from another country may lawfully pass through our own.

Construing the act of May 6, 1882, in connection with the treaty of November 7, 1880, the restriction would seem to be limited to Chinese immigrants coming to the United States as laborers, and would not forbid a mere transit across our territory. I ask the attention of Congress to the subject, for such action, if any, as may be deemed advisable.

This Government has recently had occasion to manifest its interest in the Republic of Liberia by seeking to aid the amicable settlement of the boundary dispute now pending between that Republic and the British possession of Sierra Leone.

The reciprocity treaty with Hawaii will become terminable after September 9, 1883, on twelve months' notice by either party. While certain provisions of that compact may have proved onerous, its existence has fostered commercial relations which it is important to preserve. I suggest, therefore, that early consideration be given to such modifications of the treaty as seem to be demanded by the interests of our people.

In view of our increasing trade with both Hayti and Santo Domingo, I advise that provision be made for diplomatic intercourse with the latter by enlarging the scope of the mission at Port au Prince.

I regret that certain claims of American citizens against the Government of Hayti have thus far been urged unavailingly.

A recent agreement with Mexico provides for the crossing of the frontier by the armed forces of either country in pursuit of hostile Indians. In my message of last year I called attention to the prevalent lawlessness upon the borders and to the necessity of legislation for its suppression. I again invite the attention of Congress to the subject.

A partial relief from these mischiefs has been sought in a convention, which now awaits the approval of the Senate, as does also another touching the establishment of the international boundary between the United States and Mexico. If the latter is ratified, the action of Congress will be required for establishing suitable commissions of survey. The boundary dispute between Mexico and Guatemala, which led this Government to proffer its friendly counsels to both parties, has been amicably settled.

No change has occurred in our relations with Venezuela. I again invoke your action in the matter of the pending awards against that Republic, to which reference was made by a special message from the Executive at your last session.

An invitation has been received from the Government of Venezuela to send representatives in July, 1883, to Caracas for participating in the centennial celebration of the birth of Bolivar, the founder of South American independence. In connection with this event it is designed to commence the erection at Caracas of a statue of Washington and to conduct an industrial exhibition which will be open to American products. I recommend that the United States be represented and that suitable provision be made therefor.

The elevation of the grade of our mission in Central America to the plenipotentiary rank, which was authorized by Congress at its late session, has been since effected.

The war between Peru and Bolivia on the one side and Chile on the other began more than three years ago. On the occupation by Chile in 1880 of all the littoral territory of Bolivia, negotiations for peace were conducted under the direction of the United States. The allies refused to concede any territory, but Chile has since become master of the whole coast of both countries and of the capital of Peru. A year since, as you have already been advised by correspondence transmitted to you in January last, this Government sent a special mission to the belligerent powers to express the hope that Chile would be disposed to accept a money indemnity for the expenses of the war and to relinquish her demand for a portion of the territory of her antagonist.

This recommendation, which Chile declined to follow, this Government did not assume to enforce; nor can it be enforced without resort to measures which would be in keeping neither with the temper of our people nor with the spirit of our institutions.

The power of Peru no longer extends over its whole territory, and in the event of our interference to dictate peace would need to be supplemented by the armies and navies of the United States. Such interference would almost inevitably lead to the establishment of a protectorate—a result utterly at odds with our past policy, injurious to our present interests, and full of embarrassments for the future.

For effecting the termination of hostilities upon terms at once just to the victorious nation and generous to its adversaries, this Government has spared no efforts save such as might involve the complications which I have indicated.

It is greatly to be deplored that Chile seems resolved to exact such rigorous conditions of peace and indisposed to submit to arbitration the terms of an amicable settlement. No peace is likely to be lasting that is not sufficiently equitable and just to command the approval of other nations.

About a year since invitations were extended to the nations of this continent to send representatives to a peace congress to assemble at Washington in November, 1882. The time of meeting was fixed at a period then remote, in the hope, as the invitation itself declared, that in the meantime the disturbances between the South American Republics would be adjusted. As that expectation seemed unlikely to be realized, I asked in April last for an expression of opinion from the two Houses of Congress as to the advisability of holding the proposed convention at the time appointed. This action was prompted in part by doubts which mature reflection had suggested whether the diplomatic usage and traditions of the Government did not make it fitting that the Executive should consult the representatives of the people before pursuing a line of policy somewhat novel in its character and far reaching in its possible consequences. In view of the fact that no action was taken by Congress in the premises and that no provision had been made for necessary expenses, I subsequently decided to postpone the convocation, and so notified the several Governments which had been invited to attend.

I am unwilling to dismiss this subject without assuring you of my support of any measures the wisdom of Congress may devise for the promotion of peace on this continent and throughout the world, and I trust that the time is nigh when, with the universal assent of civilized peoples, all international differences shall be determined without resort to arms by the benignant processes of arbitration.

Changes have occurred in the diplomatic representation of several foreign powers during the past year. New ministers from the Argentine Republic, Austria-Hungary, Brazil, Chile, China, France, Japan, Mexico, the Netherlands, and Russia have presented their credentials. The missions of Denmark and Venezuela at this capital have been raised in grade. Switzerland has created a plenipotentiary mission to this Government, and an embassy from Madagascar and a minister from Siam will shortly arrive.

Our diplomatic intercourse has been enlarged by the establishment of relations with the new Kingdom of Servia, by the creation of a mission to Siam, and by the restoration of the mission to Greece. The Shah of Persia has expressed his gratification that a chargé d'affaires will shortly be sent to that country, where the rights of our citizens have been hitherto courteously guarded by the representatives of Great Britain.

I renew my recommendation of such legislation as will place the United States in harmony with other maritime powers with respect to the international rules for the prevention of collisions at sea.

In conformity with your joint resolution of the 3d of August last, I have directed the Secretary of State to address foreign governments in respect to a proposed conference for considering the subject of the universal adoption of a common prime meridian to be used in the reckoning of longitude and in the regulation of time throughout the civilized world. Their replies will in due time be laid before you.

An agreement was reached at Paris in 1875 between the principal powers for the interchange of official publications through the medium of their respective foreign departments.

The admirable system which has been built up by the enterprise of the Smithsonian Institution affords a practical basis for our cooperation in this scheme, and an arrangement has been effected by which that institution will perform the necessary labor, under the direction of the Department of State. A reasonable compensation therefor should be provided by law.

A clause in the act making appropriations for the diplomatic and consular service contemplates the reorganization of both branches of such service on a salaried basis, leaving fees to inure to the benefit of the Treasury. I cordially favor such a project, as likely to correct abuses in the present system. The Secretary of State will present to you at an early day a plan for such reorganization.

A full and interesting exhibit of the operations of the Treasury Department is afforded by the report of the Secretary.

It appears that the ordinary revenues from all sources for the fiscal year ended June 30, 1882, were as follows:

From customs	$220,410,730.25
From internal revenue	146,497,595.45
From sales of public lands	4,753,140.37
From tax on circulation and deposits of national banks	8,956,794.45
From repayment of interest by Pacific Railway companies	840,554.37
From sinking fund for Pacific Railway companies	796,271.42
From customs fees, fines, penalties, etc	1,343,348.00
From fees—consular, letters patent, and lands	2,638,990.97
From proceeds of sales of Government property	314,959.85
From profits on coinage, bullion deposits, and assays	4,116,693.73
From Indian trust funds	5,705,243.22
From deposits by individuals for surveying public lands	2,052,306.36
From revenues of the District of Columbia	1,715,176.41
From miscellaneous sources	3,383,445.43
Total ordinary receipts	403,525,250.28

The ordinary expenditures for the same period were—

For civil expenses	$18,042,386.42
For foreign intercourse	1,307,583.19
For Indians	9,736,747.40
For pensions	61,345,193.95
For the military establishment, including river and harbor improvements, and arsenals	43,570,494.19
For the naval establishment, including vessels, machinery, and improvements at navy-yards	15,032,046.26
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	34,539,237.50
For expenditures on account of the District of Columbia	3,330,543.87
For interest on the public debt	71,077,206.79
Total ordinary expenditures	257,981,439.57

Leaving a surplus revenue of $145,543,810.71, which, with an amount drawn from the cash balance in the Treasury of $20,737,694.84, making $166,281,505.55, was applied to the redemption—

Of bonds for the sinking fund	$60,079,150.00
Of fractional currency for the sinking fund	58,705.55
Of loan of July and August, 1861	62,572,050.00
Of loan of March, 1863	4,472,900.00
Of funded loan of 1881	37,194,450.00
Of loan of 1858	1,000.00
Of loan of February, 1861	303,000.00
Of five-twenties of 1862	2,100.00
Of five-twenties of 1864	7,400.00
Of five-twenties of 1865	6,500.00
Of ten-forties of 1864	254,550.00
Of consols of 1865	86,450.00
Of consols of 1867	408,250.00
Of consols of 1868	141,400.00
Of Oregon War debt	675,250.00
Of old demand, compound-interest, and other notes	18,350.00
	166,281,505.55

The foreign commerce of the United States during the last fiscal year, including imports and exports of merchandise and specie, was as follows:

Exports:	
Merchandise	$750,542,257
Specie	49,417,479
Total	799,959,736
Imports:	
Merchandise	724,639,574
Specie	42,472,390
Total	767,111,964
Excess of exports over imports of merchandise	25,902,683

This excess is less than it has been before for any of the previous six years, as appears by the following table:

Year ended June 30—	Excess of exports over imports of merchandise.
1876	$79,643,481
1877	151,152,094
1878	257,814,234
1879	264,661,666
1880	167,683,912
1881	259,712,718
1882	25,902,683

During the year there have been organized 171 national banks, and of those institutions there are now in operation 2,269, a larger number than ever before. The value of their notes in active circulation on July 1, 1882, was $324,656,458.

I commend to your attention the Secretary's views in respect to the likelihood of a serious contraction of this circulation, and to the modes by which that result may, in his judgment, be averted.

In respect to the coinage of silver dollars and the retirement of silver certificates, I have seen nothing to alter but much to confirm the sentiments to which I gave expression last year.

A comparison between the respective amounts of silver-dollar circulation on November 1, 1881, and on November 1, 1882, shows a slight increase of a million and a half of dollars; but during the interval there had been in the whole number coined an increase of twenty-six millions. Of the one hundred and twenty-eight millions thus far minted, little more than thirty-five millions are in circulation. The mass of accumulated coin has grown so great that the vault room at present available for storage is scarcely sufficient to contain it. It is not apparent why it is desirable to continue this coinage, now so enormously in excess of the public demand.

As to the silver certificates, in addition to the grounds which seemed last year to justify their retirement may be mentioned the effect which is likely to ensue from the supply of gold certificates for whose issuance Congress recently made provision, and which are now in active circulation.

You can not fail to note with interest the discussion by the Secretary as to the necessity of providing by legislation some mode of freeing the Treasury of an excess of assets in the event that Congress fails to reach an early agreement for the reduction of taxation.

I heartily approve the Secretary's recommendation of immediate and extensive reductions in the annual revenues of the Government.

It will be remembered that I urged upon the attention of Congress at its last session the importance of relieving the industry and enterprise of the country from the pressure of unnecessary taxation. It is one of the tritest maxims of political economy that all taxes are burdensome, however wisely and prudently imposed; and though there have always been among our people wide differences of sentiment as to the best methods of raising the national revenues, and, indeed, as to the principles upon which taxation should be based, there has been substantial accord in the doctrine that only such taxes ought to be levied as are necessary for a wise and economical administration of the Government. Of late the public revenues have far exceeded that limit, and unless checked by appropriate legislation such excess will continue to increase from year to year. For the fiscal year ended June 30, 1881, the surplus revenue amounted to $100,000,000; for the fiscal year ended on the 30th of June last the surplus was more than one hundred and forty-five millions.

The report of the Secretary shows what disposition has been made of these moneys. They have not only answered the requirements of the sinking fund, but have afforded a large balance applicable to other reductions of the public debt.

But I renew the expression of my conviction that such rapid extinguishment of the national indebtedness as is now taking place is by no means a cause for congratulation; it is a cause rather for serious apprehension.

If it continues, it must speedily be followed by one of the evil results so clearly set forth in the report of the Secretary.

Either the surplus must lie idle in the Treasury or the Government will be forced to buy at market rates its bonds not then redeemable, and which under such circumstances can not fail to command an enormous premium, or the swollen revenues will be devoted to extravagant expenditure, which, as experience has taught, is ever the bane of an overflowing treasury.

It was made apparent in the course of the animated discussions which this question aroused at the last session of Congress that the policy of diminishing the revenue by reducing taxation commanded the general approval of the members of both Houses.

I regret that because of conflicting views as to the best methods by which that policy should be made operative none of its benefits have as yet been reaped.

In fulfillment of what I deem my constitutional duty, but with little hope that I can make valuable contribution to this vexed question, I shall proceed to intimate briefly my own views in relation to it.

Upon the showing of our financial condition at the close of the last fiscal year, I felt justified in recommending to Congress the abolition of all internal revenue taxes except those upon tobacco in its various forms and upon distilled spirits and fermented liquors, and except also the special tax upon the manufacturers of and dealers in such articles.

I venture now to suggest that unless it shall be ascertained that the probable expenditures of the Government for the coming year have been underestimated all internal taxes save those which relate to distilled spirits can be prudently abrogated.

Such a course, if accompanied by a simplification of the machinery of collection, which would then be easy of accomplishment, might reasonably be expected to result in diminishing the cost of such collection by at least $2,500,000 and in the retirement from office of from 1,500 to 2,000 persons.

The system of excise duties has never commended itself to the favor of the American people, and has never been resorted to except for supplying deficiencies in the Treasury when, by reason of special exigencies, the duties on imports have proved inadequate for the needs of the Government. The sentiment of the country doubtless demands that the present excise tax shall be abolished as soon as such a course can be safely pursued.

It seems to me, however, that, for various reasons, so sweeping a measure as the total abolition of internal taxes would for the present be an unwise step.

Two of these reasons are deserving of special mention:

First. It is by no means clear that even if the existing system of duties on imports is continued without modification those duties alone will yield sufficient revenue for all the needs of the Government. It is estimated that $100,000,000 will be required for pensions during the coming year, and it may well be doubted whether the maximum annual demand for that object has yet been reached. Uncertainty upon this question would alone justify, in my judgment, the retention for the present of that portion of the system of internal revenue which is least objectionable to the people.

Second. A total abolition of excise taxes would almost inevitably prove a serious if not an insurmountable obstacle to a thorough revision of the tariff and to any considerable reduction in import duties.

The present tariff system is in many respects unjust. It makes unequal distributions both of its burdens and its benefits. This fact was practically recognized by a majority of each House of Congress in the passage of the act creating the Tariff Commission. The report of that commission will be placed before you at the beginning of this session, and will, I trust, afford you such information as to the condition and prospects of the various commercial, agricultural, manufacturing, mining, and other interests of the country and contain such suggestions for statutory revision as will practically aid your action upon this important subject.

The revenue from customs for the fiscal year ended June 30, 1879, amounted to $137,000,000.

It has in the three succeeding years reached, first, $186,000,000, then $198,000,000, and finally, as has been already stated, $220,000,000.

The income from this source for the fiscal year which will end on June 30, 1883, will doubtless be considerably in excess of the sum last mentioned.

If the tax on domestic spirits is to be retained, it is plain, therefore, that large reductions from the customs revenue are entirely feasible. While recommending this reduction, I am far from advising the abandonment of the policy of so discriminating in the adjustment of details as to afford aid and protection to domestic labor. But the present system should be so revised as to equalize the public burden among all classes and occupations and bring it into closer harmony with the present needs of industry.

Without entering into minute detail, which under present circumstances is quite unnecessary, I recommend an enlargement of the free list so as to include within it the numerous articles which yield inconsiderable revenue, a simplification of the complex and inconsistent schedule of duties upon certain manufactures, particularly those of cotton, iron, and steel, and a substantial reduction of the duties upon those articles and upon sugar, molasses, silk, wool, and woolen goods.

If a general revision of the tariff shall be found to be impracticable at this session, I express the hope that at least some of the more conspicuous inequalities of the present law may be corrected before your final adjournment. One of them is specially referred to by the Secretary. In view of a recent decision of the Supreme Court, the necessity of amending the law by which the Dutch standard of color is adopted as the test of the saccharine strength of sugars is too obvious to require comment.

From the report of the Secretary of War it appears that the only outbreaks of Indians during the past year occurred in Arizona and in the southwestern part of New Mexico. They were promptly quelled, and the quiet which has prevailed in all other parts of the country has permitted such an addition to be made to the military force in the region endangered by the Apaches that there is little reason to apprehend trouble in the future.

Those parts of the Secretary's report which relate to our seacoast defenses and their armament suggest the gravest reflections. Our existing fortifications are notoriously inadequate to the defense of the great harbors and cities for whose protection they were built.

The question of providing an armament suited to our present necessities has been the subject of consideration by a board, whose report was transmitted to Congress at the last session. Pending the consideration of that report, the War Department has taken no steps for the manufacture or conversion of any heavy cannon, but the Secretary expresses the hope that authority and means to begin that important work will be soon provided. I invite the attention of Congress to the propriety of making more adequate provision for arming and equipping the militia than is afforded by the act of 1808, which is still upon the statute book. The matter has already been the subject of discussion in the Senate, and a bill which seeks to supply the deficiencies of existing laws is now upon its calendar.

The Secretary of War calls attention to an embarrassment growing out of the recent act of Congress making the retirement of officers of the Army compulsory at the age of 64. The act of 1878 is still in force, which limits to 400 the number of those who can be retired for disability or upon their own application. The two acts, when construed together, seem to forbid the relieving, even for absolute incapacity, of officers who do not fall within the purview of the later statute, save at such times as there chance to be less than 400 names on the retired list. There are now 420. It is not likely that Congress intended this result, and I concur with the Secretary that the law ought to be amended.

The grounds that impelled me to withhold my signature from the bill entitled "An act making appropriations for the construction, repair, and preservation of certain works on rivers and harbors," which became a law near the close of your last session, prompt me to express the hope that no similar measure will be deemed necessary during the present session of Congress. Indeed, such a measure would now be open to a serious objection in addition to that which was lately urged upon your attention. I am informed by the Secretary of War that the greater portion of the sum appropriated for the various items specified in that act remains unexpended.

Of the new works which it authorized, expenses have been incurred upon two only, for which the total appropriation was $210,000. The present available balance is disclosed by the following table:

Amount of appropriation by act of August 2, 1882	$18,738,875
Amount of appropriation by act of June 19, 1882	10,000
Amount of appropriation for payments to J. B. Eads	304,000
Unexpended balance of former appropriations	4,738,263
	23,791,138
Less amount drawn from Treasury between July 1, 1882, and November 30, 1882	6,056,194
	17,734,944

It is apparent by this exhibit that so far as concerns most of the items to which the act of August 2, 1882, relates there can be no need of further appropriations until after the close of the present session. If, however, any action should seem to be necessary in respect to particular objects, it will be entirely feasible to provide for those objects by appropriate legislation. It is possible, for example, that a delay until the assembling of the next Congress to make additional provision for the Mississippi River improvements might be attended with serious consequences. If such should appear to be the case, a just bill relating to that subject would command my approval.

This leads me to offer a suggestion which I trust will commend itself to the wisdom of Congress. Is it not advisable that grants of considerable sums of money for diverse and independent schemes of internal improvement should be made the subjects of separate and distinct legislative enactments? It will scarcely be gainsaid, even by those who favor the most liberal expenditures for such purposes as are sought to be accomplished by what is commonly called the river and harbor bill, that the practice of grouping in such a bill appropriations for a great diversity of objects, widely separated either in their nature or in the locality with which they are concerned, or in both, is one which is much to be deprecated unless it is irremediable. It inevitably tends to secure the success of the bill as a whole, though many of the items, if separately considered, could scarcely fail of rejection. By the adoption of the course I have recommended every member of Congress, whenever opportunity should arise for giving his influence and vote for meritorious appropriations, would be enabled so to do without being called upon to sanction others undeserving his approval. So also would the Executive be afforded thereby full opportunity to exercise his constitutional prerogative of opposing whatever appropriations seemed to him objectionable without imperiling the success of others which commended themselves to his judgment.

It may be urged in opposition to these suggestions that the number of works of internal improvement which are justly entitled to governmental aid is so great as to render impracticable separate appropriation bills therefor, or even for such comparatively limited number as make disposition of large sums of money. This objection may be well founded, and, whether it be or not, the advantages which would be likely to ensue from the adoption of the course I have recommended may perhaps be more effectually attained by another, which I respectfully submit to Congress as an alternative proposition.

It is provided by the constitutions of fourteen of our States that the executive may disapprove any item or items of a bill appropriating money, whereupon the part of the bill approved shall be law and the part disapproved shall fail to become law unless repassed according to the provisions prescribed for the passage of bills over the veto of the executive. The States wherein some such provision as the foregoing is a part of the fundamental law are Alabama, California, Colorado, Florida, Georgia, Louisiana, Minnesota, Missouri, Nebraska, New Jersey, New York, Pennsylvania, Texas, and West Virginia. I commend to your careful consideration the question whether an amendment of the Federal Constitution in the particular indicated would not afford the best remedy for what is often a grave embrassment both to members of Congress and to the Executive, and is sometimes a serious public mischief.

The report of the Secretary of the Navy states the movements of the various squadrons during the year, in home and foreign waters, where our officers and seamen, with such ships as we possess, have continued to illustrate the high character and excellent discipline of the naval organization.

On the 21st of December, 1881, information was received that the exploring steamer *Jeannette* had been crushed and abandoned in the Arctic Ocean. The officers and crew, after a journey over the ice, embarked in three boats for the coast of Siberia. One of the parties, under the command of Chief Engineer George W. Melville, reached the land, and, falling in with the natives, was saved. Another, under Lieutenant-Commander De Long, landed in a barren region near the mouth of the Lena River. After six weeks had elapsed all but two of the number had died from fatigue and starvation. No tidings have been received from the party in the third boat, under the command of Lieutenant Chipp, but a long and fruitless investigation leaves little doubt that all its members perished at sea. As a slight tribute to their heroism I give in this communication the names of the gallant men who sacrificed their lives on this expedition: Lieutenant-Commander George W. De Long, Surgeon James M. Ambler, Jerome J. Collins, Hans Halmer Erichsen, Heinrich H. Kaacke, George W. Boyd, Walter Lee, Adolph Dressler, Carl A. Görtz, Nelse Iverson, the cook Ah Sam, and the Indian Alexy. The officers and men in the missing boat were Lieutenant Charles W. Chipp, commanding; William Dunbar, Alfred Sweetman, Walter Sharvell, Albert C. Kuehne, Edward Star, Henry D. Warren, and Peter E. Johnson.

Lieutenant Giles B. Harber and Master Willliam H. Scheutze are now bringing home the remains of Lieutenant De Long and his comrades, in pursuance of the directions of Congress.

The *Rodgers*, fitted out for the releif of the *Jeannette* in accordance with the act of Congress of March 3, 1881, sailed from San Francisco June 16 under the command of Lieutenant Robert M. Berry. On November 30 she was accidentally destroyed by fire while in winter quarters in St. Lawrence Bay, but the officers and crew succeeded in escaping to the shore. Lieutenant Berry and one of his officers, after making a search for the *Jeannette* along the coast of Siberia, fell in with Chief Engineer Melville's party and returned home by way of Europe. The other officers and the crew of the *Rodgers* were brought from St. Lawrence Bay by the whaling steamer *North Star*. Master Charles F. Putnam, who had been placed in charge of a depot of supplies at Cape Serdze, returning to his post from St. Lawrence Bay across the ice in a blinding snowstorm, was carried out to sea and lost, notwithstanding all efforts to rescue him.

It appears by the Secretary's report that the available naval force of the United States consists of 37 cruisers, 14 single-turreted monitors, built during the rebellion, a large number of smoothbore guns and Parrott rifles, and 87 rifled cannon.

The cruising vessels should be gradually replaced by iron or steel ships, the monitors by modern armored vessels, and the armament by high-power rifled guns.

The reconstruction of our Navy, which was recommended in my last message, was begun by Congress authorizing, in its recent act, the construction of two large unarmored steel vessels of the character recommended by the late Naval Advisory Board, and subject to the final approval of a new advisory board to be organized as provided by that act. I call your attention to the recommendation of the Secretary and the board that authority be given to construct two more cruisers of smaller dimensions and one fleet dispatch vessel, and that appropriations be made for high-power rifled cannon for the torpedo service and for other harbor defenses.

Pending the consideration by Congress of the policy to be hereafter adopted in conducting the eight large navy-yards and their expensive establishments, the Secretary advocates the reduction of expenditures therefor to the lowest possible amounts.

For the purpose of affording the officers and seamen of the Navy opportunities for exercise and discipline in their profession, under appropriate control and direction, the Secretary advises that the Light-House Service and Coast Survey be transferred, as now organized, from the Treasury to the Navy Department; and he also suggests, for the reasons which he assigns, that a similar transfer may wisely be made of the cruising revenue vessels.

The Secretary forcibly depicts the intimate connection and interdependence of the Navy and the commercial marine, and invites attention to the continued decadence of the latter and the corresponding transfer of our growing commerce to foreign bottoms.

This subject is one of the utmost importance to the national welfare. Methods of reviving American shipbuilding and of restoring the United States flag in the ocean carrying trade should receive the immediate attention of Congress. We have mechanical skill and abundant material for the manufacture of modern iron steamships in fair competition with our commercial rivals. Our disadvantage in building ships is the greater cost of labor, and in sailing them, higher taxes, and greater interest on capital, while the ocean highways are already monopolized by our formidable competitors. These obstacles should in some way be overcome, and for our rapid communication with foreign lands we should not continue to depend wholly upon vessels built in the yards of other countries and sailing under foreign flags. With no United States steamers on the principal ocean lines or in any foreign ports, our facilities for extending our commerce are greatly restricted, while the nations which build and sail the ships and carry the mails and passengers obtain thereby conspicuous advantages in increasing their trade.

The report of the Postmaster-General gives evidence of the satisfactory condition of that Department and contains many valuable data and accompanying suggestions which can not fail to be of interest.

The information which it affords that the receipts for the fiscal year have exceeded the expenditures must be very gratifying to Congress and to the people of the country.

As matters which may fairly claim particular attention, I refer you to his observations in reference to the advisability of changing the present basis for fixing salaries and allowances, of extending the money-order system, and of enlarging the functions of the postal establishment so as to put under its control the telegraph system of the country, though from this last and most important recommendation I must withhold my concurrence.

At the last session of Congress several bills were introduced into the House of Representatives for the reduction of letter postage to the rate of 2 cents per half ounce.

I have given much study and reflection to this subject, and am thoroughly persuaded that such a reduction would be for the best interests of the public.

It has been the policy of the Government from its foundation to defray as far as possible the expenses of carrying the mails by a direct tax in the form of postage. It has never been claimed, however, that this service ought to be productive of a net revenue.

As has been stated already, the report of the Postmaster-General shows that there is now a very considerable surplus in his Department and that henceforth the receipts are likely to increase at a much greater ratio than the necessary expenditures. Unless some change is made in the existing laws, the profits of the postal service will in a very few years swell the revenues of the Government many millions of dollars. The time seems auspicious, therefore, for some reduction in the rates of postage. In what shall that reduction consist?

A review of the legislation which has been had upon this subject during the last thirty years discloses that domestic letters constitute the only class of mail matter which has never been favored by a substantial reduction of rates. I am convinced that the burden of maintaining the service falls most unequally upon that class, and that more than any other it is entitled to present relief.

That such relief may be extended without detriment to other public interests will be discovered upon reviewing the results of former reductions.

Immediately prior to the act of 1845 the postage upon a letter composed of a single sheet was as follows:

If conveyed—	Cents.
30 miles or less	6
Between 30 and 80 miles	10
Between 80 and 150 miles	12½
Between 150 and 400 miles	18¾
Over 400 miles	25

By the act of 1845 the postage upon a single letter conveyed for any distance under 300 miles was fixed at 5 cents and for any greater distance at 10 cents.

By the act of 1851 it was provided that a single letter, if prepaid, should be carried any distance not exceeding 3,000 miles for 3 cents and any greater distance for 6 cents.

It will be noticed that both of these reductions were of a radical character and relatively quite as important as that which is now proposed. In each case there ensued a temporary loss of revenue, but a sudden and large influx of business, which substantially repaired that loss within three years.

Unless the experience of past legislation in this country and elsewhere goes for naught, it may be safely predicted that the stimulus of 33⅓ per cent reduction in the tax for carriage would at once increase the number of letters consigned to the mails.

The advantages of secrecy would lead to a very general substitution of sealed packets for postal cards and open circulars, and in divers other ways the volume of first-class matter would be enormously augmented. Such increase amounted in England, in the first year after the adoption of penny postage, to more than 125 per cent.

As a result of careful estimates, the details of which can not be here set out, I have become convinced that the deficiency for the first year after the proposed reduction would not exceed 7 per cent of the expenditures, or $3,000,000, while the deficiency after the reduction of 1845 was more than 14 per cent, and after that of 1851 was 27 per cent.

Another interesting comparison is afforded by statistics furnished me by the Post-Office Department.

The act of 1845 was passed in face of the fact that there existed a deficiency of more than $30,000. That of 1851 was encouraged by the slight surplus of $132,000. The excess of revenue in the next fiscal year is likely to be $3,500,000.

If Congress should approve these suggestions, it may be deemed desirable to supply to some extent the deficiency which must for a time result by increasing the charge for carrying merchandise, which is now only 16 cents per pound; but even without such an increase I am confident that the receipts under the diminished rates would equal the expenditures after the lapse of three or four years.

The report of the Department of Justice brings anew to your notice the necessity of enlarging the present system of Federal jurisprudence so as effectually to answer the requirements of the ever-increasing litigation with which it is called upon to deal.

The Attorney-General renews the suggestions of his predecessor that in the interests of justice better provision than the existing laws afford should be made in certain judicial districts for fixing the fees of witnesses and jurors.

In my message of December last I referred to pending criminal proceedings growing out of alleged frauds in what is known as the star-route service of the Post-Office Department, and advised you that I had enjoined upon the Attorney-General and associate counsel, to whom the interests of the Government were intrusted, the duty of prosecuting with the utmost vigor of the law all persons who might be found chargeable with those offenses. A trial of one of these cases has since occurred. It occupied for many weeks the attention of the supreme court of this District and was conducted with great zeal and ability. It resulted in a disagreement of the jury, but the cause has been again placed upon the calendar and will shortly be retried. If any guilty persons shall finally escape punishment for their offenses, it will not be for lack of diligent and earnest efforts on the part of the prosecution.

I trust that some agreement may be reached which will speedily enable Congress, with the concurrence of the Executive, to afford the commercial community the benefits of a national bankrupt law.

The report of the Secretary of the Interior, with its accompanying documents, presents a full statement of the varied operations of that Department. In respect to Indian affairs nothing has occurred which has changed or seriously modified the views to which I devoted much space in a former communication to Congress. I renew the recommendations therein contained as to extending to the Indian the protection of the law, allotting land in severalty to such as desire it, and making suitable provision for the education of youth. Such provision, as the Secretary forcibly maintains, will prove unavailing unless it is broad enough to include all those who are able and willing to make use of it, and should not solely relate to intellectual training, but also to instruction in such manual labor and simple industrial arts as can be made practically available.

Among other important subjects which are included within the Secretary's report, and which will doubtless furnish occasion for Congressional action, may be mentioned the neglect of the railroad companies to which large grants of land were made by the acts of 1862 and 1864 to take title thereto, and their consequent inequitable exemption from local taxation.

No survey of our material condition can fail to suggest inquiries as to the moral and intellectual progress of the people.

The census returns disclose an alarming state of illiteracy in certain portions of the country, where the provision for schools is grossly inadequate.

It is a momentous question for the decision of Congress whether immediate and substantial aid should not be extended by the General Government for supplementing the efforts of private beneficence and of State and Territorial legislation in behalf of education.

The regulation of interstate commerce has already been the subject of your deliberations. One of the incidents of the marvelous extension of the railway system of the country has been the adoption of such measures by the corporations which own or control the roads as have tended to impair the advantages of healthful competition and to make hurtful discriminations in the adjustment of freightage.

These inequalities have been corrected in several of the States by appropriate legislation, the effect of which is necessarily restricted to the limits of their own territory.

So far as such mischiefs affect commerce between the States or between any one of the States and a foreign country, they are subjects of national concern, and Congress alone can afford relief.

The results which have thus far attended the enforcement of the recent statute for the suppression of polygamy in the Territories are reported by the Secretary of the Interior. It is not probable that any additional legislation in this regard will be deemed desirable until the effect of existing laws shall be more closely observed and studied.

I congratulate you that the commissioners under whose supervision those laws have been put in operation are encouraged to believe that the evil at which they are aimed may be suppressed without resort to such radical measures as in some quarters have been thought indispensable for success.

The close relation of the General Government to the Territories preparing to be great States may well engage your special attention. It is there that the Indian disturbances mainly occur and that polygamy has found room for its growth. I can not doubt that a careful survey of Territorial legislation would be of the highest utility. Life and property would become more secure. The liability of outbreaks between Indians and whites would be lessened. The public domain would be more securely guarded and better progress be made in the instruction of the young.

Alaska is still without any form of civil government. If means were provided for the education of its people and for the protection of their lives and property, the immense resources of the region would invite permanent settlements and open new fields for industry and enterprise.

The report of the Commissioner of Agriculture presents an account of the labors of that Department during the past year and includes information of much interest to the general public.

The condition of the forests of the country and the wasteful manner in which their destruction is taking place give cause for serious apprehension. Their action in protecting the earth's surface, in modifying the extremes of climate, and in regulating and sustaining the flow of springs and streams is now well understood, and their importance in relation to the growth and prosperity of the country can not be safely disregarded. They are fast disappearing before destructive fires and the legitimate requirements of our increasing population, and their total extinction can not be long delayed unless better methods than now prevail shall be adopted for their protection and cultivation. The attention of Congress is invited to the necessity of additional legislation to secure the preservation of the valuable forests still remaining on the public domain, especially in the extreme Western States and Territories, where the necessity for their preservation is greater than in less mountainous regions, and where the prevailing dryness of the climate renders their restoration, if they are once destroyed, well-nigh impossible.

The communication which I made to Congress at its first session, in December last, contained a somewhat full statement of my sentiments in relation to the principles and rules which ought to govern appointments to public service.

Referring to the various plans which had theretofore been the subject of discussion in the National Legislature (plans which in the main were modeled upon the system which obtains in Great Britain, but which lacked certain of the prominent features whereby that system is distinguished), I felt bound to intimate my doubts whether they, or any of them, would afford adequate remedy for the evils which they aimed to correct.

I declared, nevertheless, that if the proposed measures should prove acceptable to Congress they would receive the unhesitating support of the Executive.

Since these suggestions were submitted for your consideration there has been no legislation upon the subject to which they relate, but there has meanwhile been an increase in the public interest in that subject, and the people of the country, apparently without distinction of party, have in various ways and upon frequent occasions given expression to their earnest wish for prompt and definite action. In my judgment such action should no longer be postponed.

I may add that my own sense of its pressing importance has been quickened by observation of a practical phase of the matter, to which attention has more than once been called by my predecessors.

The civil list now comprises about 100,000 persons, far the larger part of whom must, under the terms of the Constitution, be selected by the President either directly or through his own appointees.

In the early years of the administration of the Government the personal direction of appointments to the civil service may not have been an irksome task for the Executive, but now that the burden has increased fully a hundredfold it has become greater than he ought to bear, and it necessarily diverts his time and attention from the proper discharge of other duties no less delicate and responsible, and which in the very nature of things can not be delegated to other hands.

In the judgment of not a few who have given study and reflection to this matter, the nation has outgrown the provisions which the Constitution has established for filling the minor offices in the public service.

But whatever may be thought of the wisdom or expediency of changing the fundamental law in this regard, it is certain that much relief may be afforded, not only to the President and to the heads of the Departments, but to Senators and Representatives in Congress, by discreet legislation. They would be protected in a great measure by the bill now pending before the Senate, or by any other which should embody its important features, from the pressure of personal importunity and from the labor of examining conflicting claims and pretensions of candidates.

I trust that before the close of the present session some decisive action may be taken for the correction of the evils which inhere in the present methods of appointment, and I assure you of my hearty cooperation in any measures which are likely to conduce to that end.

As to the most appropriate term and tenure of the official life of the subordinate employees of the Government, it seems to be generally agreed that, whatever their extent or character, the one should be definite and the other stable, and that neither should be regulated by zeal in the service of party or fidelity to the fortunes of an individual.

It matters little to the people at large what competent person is at the head of this department or of that bureau if they feel assured that the removal of one and the accession of another will not involve the retirement of honest and faithful subordinates whose duties are purely administrative and have no legitimate connection with the triumph of any political principles or the success of any political party or faction. It is to this latter class of officers that the Senate bill, to which I have already referred, exclusively applies.

While neither that bill nor any other prominent scheme for improving the civil service concerns the higher grade of officials, who are appointed by the President and confirmed by the Senate, I feel bound to correct a prevalent misapprehension as to the frequency with which the present Executive has displaced the incumbent of an office and appointed another in his stead.

It has been repeatedly alleged that he has in this particular signally departed from the course which has been pursued under recent Administrations of the Government. The facts are as follows:

The whole number of Executive appointments during the four years immediately preceding Mr. Garfield's accession to the Presidency was 2,696. Of this number 244, or 9 per cent, involved the removal of previous incumbents.

The ratio of removals to the whole number of appointments was much the same during each of those four years.

In the first year, with 790 appointments, there were 74 removals, or 9.3 per cent; in the second, with 917 appointments, there were 85 removals, or 8.5 per cent; in the third, with 480 appointments, there were 48 removals, or 10 per cent; in the fourth, with 429 appointments, there were 37 removals, or 8.6 per cent. In the four months of President Garfield's Administration there were 390 appointments and 89 removals, or 22.7 per cent. Precisely the same number of removals (89) has taken place in the fourteen months which have since elapsed, but they constitute only 7.8 per cent of the whole number of appointments (1,118) within that period and less than 2.6 of the entire list of officials (3,459), exclusive of the Army and Navy, which is filled by Presidential appointment.

I declare my approval of such legislation as may be found necessary for supplementing the existing provisions of law in relation to political assessments.

In July last I authorized a public announcement that employees of the Government should regard themselves as at liberty to exercise their pleasure in making or refusing to make political contributions, and that their action in that regard would in no manner affect their official status.

In this announcement I acted upon the view, which I had always maintained and still maintain, that a public officer should be as absolutely free as any other citizen to give or to withhold a contribution for the aid of the political party of his choice. It has, however, been urged, and doubtless not without foundation in fact, that by solicitation of official superiors and by other modes such contributions have at times been obtained from persons whose only motive for giving has been the fear of what might befall them if they refused. It goes without saying that such contributions are not voluntary, and in my judgment their collection should be prohibited by law. A bill which will effectually suppress them will receive my cordial approval.

I hope that, however numerous and urgent may be the demands upon your attention, the interests of this District will not be forgotten.

The denial to its residents of the great right of suffrage in all its relations to national, State, and municipal action imposes upon Congress the duty of affording them the best administration which its wisdom can devise.

The report of the District Commissioners indicates certain measures whose adoption would seem to be very desirable. I instance in particular those which relate to arrears of taxes, to steam railroads, and to assessments of real property.

Among the questions which have been the topic of recent debate in the halls of Congress none are of greater gravity than those relating to the ascertainment of the vote for Presidential electors and the intendment of the Constitution in its provisions for devolving Executive functions upon the Vice-President when the President suffers from inability to discharge the powers and duties of his office.

I trust that no embarrassments may result from a failure to determine these questions before another national election.

The closing year has been replete with blessings, for which we owe to the Giver of All Good our reverent acknowledgment. For the uninterrupted harmony of our foreign relations, for the decay of sectional animosities, for the exuberance of our harvests and the triumphs of our mining and manufacturing industries, for the prevalence of health, the spread of intelligence, and the conservation of the public credit, for the growth of the country in all the elements of national greatness—for these and countless other blessings we should rejoice and be glad. I trust that under the inspiration of this great prosperity our counsels may be harmonious, and that the dictates of prudence, patriotism, justice, and economy may lead to the adoption of measures in which the Congress and the Executive may heartily unite.

CHESTER A. ARTHUR.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 6, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated the 4th instant, and its accompanying papers, in which it is recommended that section 1216, Revised Statutes, be so amended as to include in its provisions the enlisted men of the Army, and that section 1285, Revised Statutes, be modified so as to read:

> A certificate of merit granted to an enlisted man for distinguished service shall entitle him thereafter to additional pay, at the rate of $2 per month, while he is in the military service, although such service may not be continuous.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 6, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated the 4th instant, setting forth certain facts respecting the title to the peninsula of Presque Isle, at Erie, Pa., and recommending that the subject be presented to Congress with the view of legislation by that body modifying the act of May 27, 1882, entitled "An act to authorize the Secretary of War to accept the peninsula in Lake Erie opposite the harbor of Erie, in the State of Pennsylvania" (17 U. S. Statutes at Large, p. 162), so as to authorize the Secretary of War to accept title to the said peninsula, proffered by the marine hospital of Pennsylvania pursuant to an act of the legislature of that State approved by the governor May 11, 1871.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 6, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, inclosing one from the commanding general Department of the Missouri, indorsed by the division commander, urging the advisability of prompt action in the matter of perfecting the title to the site of Fort Bliss, Tex.

Accompanying also is a copy of Senate Executive Document No. 96, Forty-seventh Congress, first session, which presents fully the facts in the case, as well as the character of the legislation necessary to secure to the United States proper title to the land in question.

The Secretary of War expresses his concurrence in the views of the military authorities as to the importance of this subject and urges that the requisite legislation be had by Congress at its present session.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 8, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill and accompanying papers, to accept and ratify an agreement made by the Pi-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River Reservation, in Nevada.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 13, 1882.

To the House of Representatives:

In response to the resolution of the House of Representatives of the 30th of January, 1882, on the subject of the tariff of consular fees, I transmit herewith a report of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 15, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, inclosing a copy of a letter from the acting governor of New Mexico, in which he sets forth reasons why authority should be given and provision made for holding a session of the Territorial legislature of New Mexico in January, 1883, or soon thereafter.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 19, 1882.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, upon the subject of abandoned military reservations, and renewing his former recommendation for such legislation as will provide for the disposal of military sites that are no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 21, 1882.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 18th instant, with accompanying papers, submitting a draft of a bill "for the relief of the Nez Percé Indians in the Territory of Idaho and of the allied tribes residing upon the Grande Ronde Indian Reservation, in the State of Oregon."

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 27, 1882.*

To the Senate and House of Representatives:

I submit herewith a letter from the Secretary of the Interior, inclosing a communication from the secretary of the Territory of New Mexico, who has custody of the public buildings at Santa Fe, in which are set forth reasons why an appropriation should be made for the completion of the capitol at Santa Fe, and commend the same to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 5, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, together with a letter from the Superintendent of the Census, requesting an additional appropriation of $100,000 to complete the work of the Tenth Census, and recommend the same to Congress for its favorable consideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 5, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 2d instant, and inclosing one from Lieutenant Robert Craig, Fourth Artillery, indorsed by the Chief

Signal Officer of the Army, recommending that Congress authorize the printing and binding for the use of the Signal Office of 10,000 copies of the Annual Report of the Chief Signal Officer for the fiscal year 1882, and inclosing a draft of a joint resolution for the purpose.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 9, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting a report, with accompanying papers, regarding the condition of the several libraries of said Department and the consolidation of the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 10, 1883.

To the Senate of the United States:

The Senate having by executive resolution of the 20th ultimo returned to me the supplemental convention of extradition signed August 7, 1882, in order that certain verbal changes therein might be made, as requested by the Spanish Government, as explained in the letter of the Secretary of State to the Committee on Foreign Relations of the Senate dated the 15th ultimo, I now lay the said convention so modified before the Senate, with a view to its ratification.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 11, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 10th instant, inclosing one from the Chief of Ordnance, together with one from Lieutenant-Colonel D. W. Flagler, commanding the Rock Island Arsenal, Ill., setting forth the insufficiency of the sum appropriated by the sundry civil appropriation act of August 7, 1882, for the deepening of the water-power tail-race canal at that arsenal, and recommending that a special appropriation of $20,000 be made for the completion of said work.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 12, 1883.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State and accompanying papers, furnished in response to the resolution of the House of Representatives of July 15, 1882, calling for any information in the possession of the Department of State in reference to any change or modification of the stipulations which the French Cable Company made with the Government.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 17th instant, inclosing, with other papers on the subject, a petition of Thomas Mulvihill, of Pittsburg, Pa., praying for the repossession of certain shore lands at Pittsburg erroneously conveyed by him to the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 18th instant, from the Secretary of the Interior, with accompanying papers, in relation to the request of the Cherokee Indians in the Indian Territory for payment for lands in that Territory west of the ninety-sixth degree west longitude, the cession of which to the United States for the settlement of friendly Indians thereon is provided for in the sixteenth article of the treaty of July 19, 1866.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 17th instant, inclosing copies of letters respectively from the Chief of Engineers and Colonel A. F. Rockwell, in charge of public buildings and grounds in this city, urging the importance of an immediate appropriation of $1,000 for removing snow and ice from the walks and pavements in and around the various public reservations under his control during the remainder of the present fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate of the United States:

I have carefully considered the provisions of Senate bill No. 561, entitled "An act for the relief of Robert Stodart Wyld."

I am of the opinion that the general statute is sufficiently liberal to provide relief in all proper cases of destroyed United States bonds, and I believe that the act above referred to constitutes an evil precedent.

It is not, however, so objectionable as to call for my formal disapproval, and I have allowed it to become a law under the constitutional provision, contenting myself with communicating to the Senate, in which the bill originated, my disapproval of special legislation of this character.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 18th instant, inclosing an extract copy of a report of the Adjutant-General respecting the military reservation of Fort Cameron, Utah Territory, and recommending that authority be granted during the present session of Congress for the disposal of said reservation, it being no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill, and accompanying papers, to accept and ratify an agreement with the confederated tribes of Flathead, Kootenay, and Upper Pend d'Oreille Indians for the sale of a portion of their reservation in the Territory of Montana, required for the Northern Pacific Railroad, and to make the necessary appropriation for carrying the same into effect.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 23, 1883.

To the Senate of the United States:

In response to the resolution of the Senate of the United States dated January 5, 1883, requesting "that the Secretary of State be directed to transmit to the Senate copies of any letters on file in his Department from the consular service upon the subject of the shipment and discharge of seamen or payment of extra wages to seamen," I have to transmit a report of the Secretary of State on the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 25, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, concerning the character and condition of the library of the Department of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 26, 1883.*

To the House of Representatives:

It is hereby announced to the House of Congress in which it originated that the joint resolution (H. Res. 190) to refer certain claims to the Court of Claims has been permitted to become a law under the constitutional provision. Its apparent purpose is to allow certain bankers to sue in the Court of Claims for the amount of internal-revenue tax collected from them without lawful authority, upon showing as matter of excuse for not having brought their suits within the time limited by law that they had entered into an agreement with the district attorney which was in substance that they should be relieved of that necessity. I can not concur in the policy of setting aside the bar of the statute in those cases on such ground, but I have not deemed it necessary to return the joint resolution with my objections for reconsideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 30, 1883.*

To the Senate of the United States:

I transmit herewith a copy of a communication to me from the Secretary of the Treasury.*

I have acted in conformity with the recommendations, oral and written, which are therein set forth, concerning the action suggested to be that which would best effectuate the purpose of section 1768 of the Revised Statutes of the United States and be most considerate of the reputation and interests of the public officer to be affected and most subservient to the public interest.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 3, 1883.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, the treaty of commerce which was signed in duplicate January 20, 1883, by commissioners on the part of the United States and Mexico, with accompanying papers.

The attention of the Senate is called to the statement in the third protocol as to the insertion of the word "steel" in item No. (35) 66 of the list appended to article 2 of the treaty. No further information as to the possible correction therein referred to has yet reached me; but as the session of the Senate will soon terminate, I deem it advisable to transmit the treaty as signed, in the hope that its ratification may be assented to.

While the treaty does not contain all the provisions desired by the

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* Relating to the suspension of William H. Daniels collector of customs for the district of Oswegatchie, N. Y.

United States, the difficulties in the way of a full and complete settlement of matters of common interest to the two countries were such as to make me willing to approve it as an important step toward a desirable result, not doubting that, as time shall show the advantages of the system thus inaugurated, the Government will be able by supplementary agreements to insert the word "steel" and to perfect what is lacking in the instrument.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 3, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 1st instant, submitting a report made by the commission appointed under the provisions of the act of August 7, 1882, to treat with the Sioux Indians for a modification of their existing treaties, together with a copy of the agreement negotiated by that commission.

The subject is presented for the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 5, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 2d instant, in relation to the subject of invasion of the Indian Territory, and urging the importance of amending section 2148 of the Revised Statutes so as to impose a penalty of imprisonment for unlawful entry upon the Indian lands.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 5, 1883.

To the Senate of the United States:

Referring to my message to the Senate of the 3d instant, wherewith was transmitted, for consideration with a view to ratification, the treaty of commerce between Mexico and the United States which was signed at Washington on the 20th ultimo, I have now to inform the Senate that this Government is officially advised by that of Mexico, through its minister at this capital, that it assents to the insertion of the word "steel" in item No. (35) 66 of the list appended to article 2 of that treaty.

It is desired that the treaty be returned to me that the amendment may be made, after which it will be again sent to the Senate for final action.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 6, 1883.*

To the Senate of the United States:

I retransmit to the Senate the commercial treaty recently signed in this city by the commissioners of the United States and Mexico, as amended by the insertion of the word "steel" in item (35) 66 of the list appended to article 2 thereof.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 7, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 3d instant, with accompanying papers, from the Secretary of the Interior, being a partial report upon the Cherokee Indian matters required under a clause in the sundry civil appropriation act of August 7, 1882.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 8, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 7th instant, with accompanying papers, setting forth the urgent necessity of stringent measures for the repression of the rapidly increasing evasions and violations of the laws relating to public lands, and of a special appropriation for the purpose both in the current and approaching fiscal years.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Washington, February 9, 1883.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention between the United States of America and the French Republic, for extending the term of the French and American claims convention, concluded at Washington on the 8th day of February, 1883.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a copy of the report of the Board of Indian Commissioners for the year 1882. The report accompanies the message to the House of Representatives.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 10, 1883*.

To the House of Representatives:

I transmit herewith, in response to a resolution of the House of Representatives of the 25th ultimo, a report of the Secretary of State, in relation to export duties levied in foreign countries having commercial relations with the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 12, 1883*.

To the Senate and House of Representatives:

I transmit herewith a communication of the 8th instant, with accompanying papers, from the Secretary of the Interior, comprising the further report in relation to matters of difference between the Eastern and Western bands of Cherokee Indians required by an item in the sundry civil act approved August 7, 1882 (pamphlet statutes, page 328).

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Washington, February 15, 1883*.

To the Senate of the United States:

I transmit herewith, in compliance with the resolution of the Senate of December 18, 1882, the report of Mr. George Earl Church upon Ecuador, which I have this day received from the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 20, 1883*.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 19th instant, inclosing a copy of one from Major George L. Gillespie, Corps of Engineers, dated the 15th instant, referring to the insufficiency of the sum ($39,000) appropriated by the sundry civil bill of August 7, 1882, for building the sea wall on Governors Island, New York Harbor, together with a copy of the indorsement of the Chief Engineer, showing the necessity for an additional appropriation of $15,000 for this purpose. The Secretary of War recommends that said additional sum of $15,000 be appropriated at the present session of Congress for the object stated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Washington, February 23, 1883*.

To the House of Representatives of the United States of America:

With reference to my message of the 12th ultimo on the same subject, I transmit herewith a further report of the Secretary of State, furnishing additional papers received since the date of his former report in response to a resolution of the House of Representatives of July 5, 1882, calling for any information in the possession of the Department of State in reference to any changes or modifications of the stipulations which the French Cable Company made with this Government.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 26, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a copy of the annual report of the Government directors of the Union Pacific Railway Company, under date of the 19th instant.

The copy of the report referred to accompanies the message to the House of Representatives.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 27, 1883.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, furnished in response to the resolution of the Senate of February 26, 1883, requesting information touching an alleged joint agreement between the ministers of the United States, of Great Britain, of France, and of Italy now serving in Peru.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 1, 1883.*

To the Senate of the United States:

Having approved the act recently passed by Congress "to regulate and improve the civil service of the United States," I deem it my duty to call your attention to the provision for the employment of a "chief examiner" contained in the third section of the act, which was the subject of consideration at the time of its approval.

I am advised by the Attorney-General that there is great doubt whether such examiner is not properly an officer of the United States because of the nature of his employment, its duration, emolument, and duties. If he be such, the provision for his employment (which involves an appointment by the Commission) is not in conformity with section 2, Article II of the Constitution. Assuming this to be the case, the result would be that the appointment of the chief examiner must be deemed to be vested in the President, by and with the advice and consent of the Senate, since in such case the appointment would not be otherwise provided for by law. Concurring in this opinion, I nominate Silas W. Burt, of New York, to be chief examiner of the Civil Service Commission.

CHESTER A. ARTHUR.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by the eighth section of an act entitled "An act to encourage the holding of a World's Industrial and Cotton Centennial Exposition in the year 1884," approved February 10, 1883, it was enacted as follows:

> That whenever the President shall be informed by the said board of management that provision has been made for suitable buildings, or the erection of the same, for the purposes of said exposition, the President shall, through the Department of State, make proclamation of the same, setting forth the time at which the exhibition will open and the place at which it will be held; and such board of management shall communicate to the diplomatic representatives of all nations copies of the same and a copy of this act, together with such regulations as may be adopted by said board of management, for publication in their respective countries.

And whereas the duly constituted board of managers of the aforesaid World's Industrial and Cotton Centennial Exposition has informed me that provision has been made for the erection of suitable buildings for the purposes of said exposition:

Now, therefore, I, Chester A. Arthur, President of the United States of America, by authority of and in fulfillment of the requirements of said act approved February 10, 1883, do hereby declare and make known that the World's Industrial and Cotton Centennial Exposition will be opened on the first Monday in December, 1884, at the city of New Orleans, in the State of Louisiana, and will there be holden continuously until the 31st day of May, 1885.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of September, 1883, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

In furtherance of the custom of this people at the closing of each year to engage, upon a day set apart for that purpose, in a special festival of praise to the Giver of All Good, I, Chester A. Arthur, President of the

United States, do hereby designate Thursday, the 29th day of November next, as a day of national thanksgiving.

The year which is drawing to an end has been replete with evidences of divine goodness.

The prevalence of health, the fullness of the harvests, the stability of peace and order, the growth of fraternal feeling, the spread of intelligence and learning, the continued enjoyment of civil and religious liberty—all these and countless other blessings are cause for reverent rejoicing.

I do therefore recommend that on the day above appointed the people rest from their accustomed labors and, meeting in their several places of worship, express their devout gratitude to God that He hath dealt so bountifully with this nation and pray that His grace and favor abide with it forever.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 26th day of October, A. D. 1883, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,
Secretary of State.

EXECUTIVE ORDERS.

DEPARTMENT OF STATE,
Washington, March 26, 1883.

SIR:* It is my melancholy duty to inform you that the Hon. Timothy O. Howe, Postmaster-General, and lately a Senator of the United States, died yesterday at Kenosha, Wis., at 2 o'clock in the afternoon. By reason of this afflicting event the President directs that the Executive Departments of the Government and the offices dependent thereon throughout the country will be careful to manifest by all customary and appropriate observances due honor to the memory of one so eminent in successive offices of public esteem and trust and so distinguished and respected as a citizen.

To this end the President directs that the Post-Office Department and its dependencies in this capital shall be draped in mourning for a period of thirty days; that the several Executive Departments shall be closed on Wednesday next, the day of the funeral of the deceased, and that on all public buildings of the Government throughout the United States the national flag shall be draped in mourning and displayed at half-mast.

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* Addressed to the heads of the Executive Departments, etc.

I have the honor to be, sir, your obedient servant,

FREDK. T. FRELINGHUYSEN.

EXECUTIVE MANSION,
Washington, April 2, 1883.

Under the provisions of section 1 of the "act making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes," approved March 3, 1883, the following-named officers of the Army and Navy will constitute a board for the purpose of examining and reporting to Congress which of the navy-yards or arsenals owned by the Government has the best location and is best adapted for the establishment of a Government foundry, or what other method, if any, should be adopted for the manufacture of heavy ordnance adapted to modern warfare, for the use of the Army and Navy of the United States, the cost of all buildings, tools, and implements necessary to be used in the manufacture thereof, including the cost of a steam hammer or apparatus of sufficient size for the manufacture of the heaviest guns:

Commodore Edward Simpson, United States Navy; Captain Edmund O. Matthews, United States Navy; Colonel Thomas G. Baylor, Ordnance Department, United States Army; Lieutenant-Colonel Henry L. Abbot, Engineer Corps, United States Army; Major Samuel S. Elder, Second Artillery, United States Army; Lieutenant William H. Jacques, United States Navy.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 7, 1883.*

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are hereby promulgated:

RULE I.

No person in said service shall use his official authority or influence either to coerce the political action of any person or body or to interfere with any election.

RULE II.

No person in the public service shall for that reason be under any obligations to contribute to any political fund or to render any political service, and he will not be removed or otherwise prejudiced for refusing to do so.

RULE III.

It shall be the duty of collectors, postmasters, assistant treasurers, naval officers, surveyors, appraisers, and custodians of public buildings at places where examinations are to be held to allow and arrange for the reasonable use of suitable rooms in the public buildings in their charge, and for heating, lighting, and furnishing the same for the purposes of such examinations; and all other executive officers shall in all legal and proper ways facilitate such examinations and the execution of these rules.

RULE IV.

1. All officials connected with any office where or for which any examination is to take place will give the Civil Service Commission and the chief examiner such information as may be reasonably required to enable the Commission to select competent and trustworthy examiners; and the examinations by those selected as examiners, and the work incident thereto, will be regarded as a part of the public business to be performed at such office.

2. It shall be the duty of every executive officer promptly to inform the Commission, in writing, of the removal or discharge from the public service of any examiner in his office or of the inability or refusal of any such examiner to act in that capacity.

RULE V.

There shall be three branches of the service classified under the civil-service act (not including laborers or workmen or officers required to be confirmed by the Senate), as follows:

1. Those classified in the Departments at Washington shall be designated "The classified departmental service."

2. Those classified under any collector, naval officer, surveyor, or appraiser in any customs district shall be designated "The classified customs service."

3. Those classified under any postmaster at any post-office, including that at Washington, shall be designated "The classified postal service."

4. The classified customs service shall embrace the several customs districts where the officials are as many as fifty, now the following: New York City, N. Y.; Boston, Mass.; Philadelphia, Pa.; San Francisco, Cal.; Baltimore, Md.; New Orleans, La.; Chicago, Ill.; Burlington, Vt.; Portland, Me.; Detroit, Mich.; Port Huron, Mich.

5. The classified postal service shall embrace the several post-offices where the officials are as many as fifty, now the following: Albany, N. Y.; Baltimore, Md.; Boston, Mass.; Brooklyn, N. Y.; Buffalo, N. Y.; Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Detroit, Mich.; Indianapolis, Ind.; Kansas City, Mo.; Louisville, Ky.; Milwaukee, Wis.; Newark, N. J.; New Orleans, La.; New York City, N. Y.; Philadelphia, Pa.; Pittsburg, Pa.; Providence, R. I.; Rochester, N. Y.; St. Louis, Mo.; San Francisco, Cal.; Washington, D. C.

RULE VI.

1. There shall be open competitive examinations for testing the fitness of applicants for admission to the service. Such examinations shall be practical in their character and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the branch of the service which they seek to enter.

2. There shall also be competitive examinations of a suitable character to test the fitness of persons for promotion in the service.

RULE VII.

1. The general examinations under the first clause of Rule VI for admission to the service shall be limited to the following subjects: (1) Orthography, penmanship,

and copying; (2) arithmetic—fundamental rules, fractions, and percentage; (3) interest, discount, and elements of bookkeeping and of accounts; (4) elements of the English language, letter writing, and the proper construction of sentences; (5) elements of the geography, history, and government of the United States.

2. Proficiency in each of these subjects shall be credited in grading the standing of the persons examined in proportion to the value of a knowledge of such subjects in the branch or part of the service which the applicant seeks to enter.

3. No one shall be entitled to be certified for appointment whose standing upon a just grading in the general examination shall be less than 65 per cent of complete proficiency in the first three subjects mentioned in this rule, and that measure of proficiency shall be deemed adequate.

4. But for places in which a lower degree of education will suffice the Commission may limit the examinations to, first, penmanship, copying, and orthography; second, the fundamental rules of arithmetic; but no person shall be certified under this examination of a less grading than 65 per cent on each subject.

5. The Commission may also order examinations of a higher grade or upon additional or special subjects, to test the capacity and fitness which may be needed in any special place or branch of the service.

RULE VIII.

No question in any examination or proceeding by or under the Commission or examiners shall call for the expression or disclosure of any political or religious opinion or affiliation, nor shall any discrimination be made by reason thereof if known; and the Commission and its examiners shall discountenance all disclosure before either of them of such opinion by or concerning any applicants for examination or by or concerning anyone whose name is on any register awaiting appointment.

RULE IX.

All regular applications for the competitive examinations for admission to the classified service must be made on blanks in a form approved by the Commission. All requests for such blanks and all applications for examination must be addressed as follows: (1) If for the classified departmental service, to the United States Civil Service Commission, Washington, D. C.; (2) if for the classified postal service, to the postmaster under whom service is sought; (3) if for the classified customs service, to the head of either customs office in which service is sought. All officers receiving such applications will indorse thereon the date of the reception thereof and transmit the same to the proper examining board of the district or office where service is sought or, if in Washington, to the Civil Service Commission.

RULE X.

Every examining board shall keep such records and such papers on file and make such reports as the Commission shall require, and any such paper or record in the charge of any examining board or any officer shall at all times be open to examination as the Commission shall direct, and upon its request shall be forwarded to the Commission for inspection and revision.

RULE XI.

Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subjects: (1) Full name, residence, and post-office address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) right of preference by reason of military or naval service; (7) previous employment in the public service; (8) business or employment and residence for the previous five years; (9) education. Such other information shall be furnished as the Commission may reasonably require touching the applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section 3 of the civil-service act, which is as follows:

"That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable."

RULE XII.

1. Every regular application must be supported by proper certificates of good moral character, health, and physical and mental capacity for doing the public work, the certificates to be in such form and number as the regulations of the Commission shall provide; but no certificate will be received which is inconsistent with the tenth section of the civil-service act.

2. No one shall be entitled to be examined for admission to the classified postal service if under 16 or over 35 years of age, or to the classified customs service or to the classified departmental service if under 18 or over 45 years of age; but no one shall be examined for appointment to any place in the classified customs service, except that of clerk or messenger, who is under 21 years of age; but these limitations of age shall not apply to honorably discharged soldiers and sailors of the last war who are otherwise duly qualified.

RULE XIII.

1. The date of the reception of all regular applications for the classified departmental service shall be entered of record by the Commission, and of all other regular applications by the proper examining boards of the district or office for which they are made; and applicants, when in excess of the number that can be examined at a single examination, shall be notified to appear in their order on the respective records. But any applicants in the several States and Territories for appointment in the classified departmental service may be notified to appear for examination at any place at which an examination is to be held, whether in any State or Territory or in Washington, which shall be deemed most convenient for them.

2. The Commission is authorized, in aid of the apportionment among the States and Territories, to hold examinations at places convenient for applicants from different States and Territories, or for those examination districts which it may designate and which the President shall approve.

RULE XIV.

Those examined shall be graded, and shall have their grade marked upon a register after those previously thereon, in the order of their excellence as shown by their examination papers, except that those from the same State or Territory may be entered upon the register together, in the order of relative excellence, to facilitate apportionment. Separate registers may be kept of those seeking to enter any part of the service in which special qualifications are required.

RULE XV.

The Commission may give a certificate to any person examined, stating the grade which such person attained and the proficiency in the several subjects, shown by the markings.

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, the four highest of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. No person upon any register shall be certified more than three times to the same officer in the customs or postal service or more than twice to any department at Washington, unless upon request of the appointing officer; nor shall anyone remain eligible more than one year upon any register. And no person while remaining eligible on any register shall be admitted to a new examination of the same grade.

RULE XVII.

1. Every original appointment or employment in said classified service shall be for the probationary period of six months, at the end of which time, if the conduct and capacity of the person appointed have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise be deemed out of the service.

2. Every officer under whom any probationer shall serve during any part of the probation provided for by these rules shall carefully observe the quality and value of the service rendered by such probationer, and shall report to the proper appointing officer, in writing, the facts observed by him, showing the character and qualifications of such probationer and of the service performed by him; and such reports shall be preserved on file.

3. Every false statement knowingly made by any person in his application for examination and every connivance by him at any false statement made in any certificate which may accompany his application shall be regarded as good cause for the removal or discharge of such person during his probation.

RULE XVIII.

Every head of a Department or office shall notify the Commission of the name of every person appointed to or employed in the classified service under him (giving the date of the appointment and the designation of the office or place) from those examined under the Commission, and shall also inform the Commission of the date of any rejection or final appointment or employment of any probationer and of the promotion, removal, discharge, resignation, transfer, or death of any such person after probation.

RULE XIX.

There are excepted from examination the following: (1) The confidential clerk or secretary of any head of a Department or office; (2) cashiers of collectors; (3) cashiers of postmasters; (4) superintendents of money-order divisions in post-offices; (5) the direct custodians of money for whose fidelity another officer is under official bond, but these exceptions shall not extend to any official below the grade of assistant cashier or teller; (6) persons employed exclusively in the secret service of the Government, or as translators or interpreters or stenographers; (7) persons whose employment is exclusively professional; (8) chief clerks, superintendents, and chiefs of divisions or bureaus. But no person so excepted shall be either transferred, appointed, or promoted, unless to some excepted place, without an examination under the Commission. Promotions may be made without examinations in offices where examinations for promotion are not now held until rules on the subject shall be promulgated.

RULE XX.

If the failure of competent persons to attend and be examined or the prevalence of contagious disease or other sufficient cause shall make it impracticable to supply in due season for any appointment the names of persons who have passed a competitive examination, the appointment may be made of a person who has passed a noncompetitive examination, which examination the Commission may provide for; but its next report shall give the reason for such resort to noncompetitive examination.

RULE XXI.

The Civil Service Commission will make appropriate regulations for carrying these rules into effect.

RULE XXII.

Every violation by any officer in the executive civil service of these rules or of the eleventh, twelfth, thirteenth, or fourteenth section of the civil-service act, relating to political assessments, shall be good cause for removal.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 21, 1883.*

Under the provisions of section 4 of the act approved March 3, 1883, it is hereby ordered that the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed on Wednesday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

CHESTER A. ARTHUR.

WAR DEPARTMENT, *October 13, 1883.*

I. The President, having acceded to the request of General William T. Sherman to be relieved from the command of the Army on the 1st of November, 1883, preparatory to his retirement from active service, directs the following changes and assignments to command:

General William T. Sherman will be relieved from the command of the Army on the above-mentioned date and will repair to his home, St. Louis, Mo., to await his retirement. The General will be attended prior to his retirement by those of his aids-de-camp whom he may designate to the Adjutant-General.

Lieutenant-General Philip H. Sheridan will proceed to Washington, and on the above-mentioned date assume command of the Army.

Major-General John M. Schofield will proceed to Chicago, Ill., and will on the above-mentioned date assume command of the Military Division of the Missouri.

Major-General John Pope will proceed to the Presidio of San Francisco, Cal., and will on the above-mentioned date assume command of the Military Division of the Pacific and of the Department of California.

Brigadier-General Christopher C. Augur will proceed to Fort Leavenworth, and will on the above-mentioned date assume command of the Department of the Missouri.

Brigadier-General Ranald S. Mackenzie will proceed to San Antonio, Tex., and will on the above-mentioned date assume command of the Department of Texas.

II. The Department of the South will on the 1st day of November, 1883, be merged in the Department of the East, under the command of Major-General Hancock, commanding the Military Division of the Atlantic and the Department of the East.

ROBERT T. LINCOLN,
Secretary of War.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are hereby amended and promulgated, as follows:

RULE VI.

1. There shall be open competitive examinations for testing the fitness of applicants for admission to the service. Such examinations shall be practical in their character and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the branch of the service which they seek to enter.

2. There shall, so far as they may be deemed useful, be competitive examinations of a suitable character to test the fitness of persons for promotion in the service.

RULE VII.

1. The general examinations under the first clause of Rule VI for admission to the service shall be limited to the following subjects: (1) Orthography, penmanship, and copying; (2) arithmetic—fundamental rules, fractions, and percentage; (3) interest, discount, and elements of bookkeeping and of accounts; (4) elements of the English language, letter writing, and the proper construction of sentences; (5) elements of the geography, history, and government of the United States.

2. Proficiency in each of these subjects shall be credited in grading the standing of the persons examined in proportion to the value of a knowledge of such subjects in the branch or part of the service which the applicant seeks to enter.

3. No one shall be entitled to be certified for appointment whose standing upon a just grading in the general examination shall be less than 65 per cent of complete proficiency in the first three subjects mentioned in this rule, and that measure of proficiency shall be deemed adequate.

4. But for places in which a lower degree of education will suffice the Commission may limit the examinations to less than the five subjects above mentioned; but no

person shall be certified for appointment under this clause whose grading shall be less than an average of 65 per cent on such of the first three subjects or parts thereof as the examination may embrace.

5. The Commission may also order examinations upon other subjects, of a technical or special character, to test the capacity which may be needed in any part of the classified service which requires peculiar information or skill. Examinations hereunder may be competitive or noncompetitive, and the maximum limitations of age contained in the twelfth rule shall not apply to applicants for the same. The application for and notice of these special examinations, the records thereof, and the certification of those found competent shall be such as the Commission may provide for. After consulting the head of any Department or office the Commission may from time to time designate, subject to the approval of the President, the positions therein for which applicants may be required to pass this special examination.

RULE VIII.

No question in any examination or proceeding by or under the Commission or examiners shall call for the expression or disclosure of any political or religious opinion or affiliation, and if such opinion or affiliation be known no discrimination shall be made by reason thereof by the examiners, the Commission, or the appointing power. The Commission and its examiners shall discountenance all disclosure before either of them of such opinion by or concerning any applicant for examination or by or concerning anyone whose name is on any register awaiting appointment.

RULE XI.

Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subjects: (1) Full name, residence, and post-office address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) right of preference by reason of military or naval service; (7) previous employment in the public service; (8) business or employment and residence for the previous five years; (9) education. Such other information shall be furnished as the Commission may reasonably require touching the applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section 8 of the civil-service act, which is as follows:

"That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable."

No person under enlistment in the Army or Navy of the United States shall be examined under these rules.

RULE XIII.

1. The date of the reception of all regular applications for the classified departmental service shall be entered of record by the Commission, and of all other regular applications by the proper examining boards of the district or office for which they are made; and applicants, when in excess of the number that can be examined at a single examination, shall, subject to the needs of apportionment, be notified to appear in their order on the respective records. But any applicants in the several States and Territories for appointment in the classified departmental service may be notified to appear for examination at any place at which an examination is to be held, whether in any State or Territory or in Washington, which shall be deemed most convenient for them.

2. The Commission is authorized, in aid of the apportionment among the States

and Territories, to hold examinations at places convenient for applicants from different States and Territories, or for those examination districts which it may designate and which the President shall approve.

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, the four highest of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. No person upon any register shall be certified more than four times to the same officer in the customs or postal service or more than twice to any Department at Washington, unless upon request of the appointing officer; nor shall anyone remain eligible more than one year upon any register. No person while remaining eligible on any register shall be admitted to a new examination, and no person having failed upon any examination shall within six months thereafter be admitted to another examination without the consent of the Commission; but these restrictions shall not extend to examinations under clause 5 of Rule VII.

RULE XVIII.

Every head of a Department or office shall notify the Commission of the name of every person appointed to or employed in the classified service under him (giving the date of the appointment and the designation of the office or place) from those examined under the Commission, and shall also inform the Commission of the date of any rejection or final appointment or employment of any probationer, and of the promotion, removal, discharge, resignation, transfer, or death of any such person after probation. Every head of an office in the postal or customs service shall give such information on these subjects to the board of examiners for his office as the regulations of the Commission may provide for.

RULE XIX.

There are excepted from examination the following: (1) The confidential clerk or secretary of any head of Department or office; (2) cashiers of collectors; (3) cashiers of postmasters, (4) superintendents of money-order divisions in post-offies; (5) the direct custodians of money for whose fidelity another officer is under official bond, but these exceptions shall not extend to any official below the grade of assistant cashier or teller; (6) persons employed exclusively in the secret service of the Government, or as translators or interpreters or stenographers; (7) persons whose employment is exclusively professional; (8) chief clerks, deputy collectors, and superintendents or chiefs of divisions or bureaus. But no person so excepted shall be either transferred, appointed, or promoted, unless to some excepted place, without an examination under the Commission. Promotions may be made without examinations in offices where examinations for promotion are not now held until rules on the subject shall be promulgated.

Approved, November 7, 1883. CHESTER A. ARTHUR.

THIRD ANNUAL MESSAGE.

WASHINGTON, *December 4, 1883.*

To the Congress of the United States:

At the threshold of your deliberations I congratulate you upon the favorable aspect of the domestic and foreign affairs of this Government.

Our relations with other countries continue to be upon a friendly footing. With the Argentine Republic, Austria, Belgium, Brazil, Denmark, Hayti, Italy, Santo Domingo, and Sweden and Norway no incident has occurred which calls for special comment. The recent opening of new lines of telegraphic communication with Central America and Brazil permitted the interchange of messages of friendship with the Governments of those countries.

During the year there have been perfected and proclaimed consular and commercial treaties with Servia and a consular treaty with Roumania, thus extending our intercourse with the Danubian countries, while our Eastern relations have been put upon a wider basis by treaties with Korea and Madagascar. The new boundary-survey treaty with Mexico, a trade-marks convention and a supplementary treaty of extradition with Spain, and conventions extending the duration of the Franco-American Claims Commission have also been proclaimed.

Notice of the termination of the fisheries articles of the treaty of Washington was duly given to the British Government, and the reciprocal privileges and exemptions of the treaty will accordingly cease on July 1, 1885. The fisheries industries, pursued by a numerous class of our citizens on the northern coasts, both of the Atlantic and Pacific oceans, are worthy of the fostering care of Congress. Whenever brought into competition with the like industries of other countries, our fishermen, as well as our manufacturers of fishing appliances and preparers of fish products, have maintained a foremost place. I suggest that Congress create a commission to consider the general question of our rights in the fisheries and the means of opening to our citizens, under just and enduring conditions, the richly stocked fishing waters and sealing grounds of British North America.

Question has arisen touching the deportation to the United States from the British Islands, by governmental or municipal aid, of persons unable there to gain a living and equally a burden on the community here. Such of these persons as fall under the pauper class as defined by law have been sent back in accordance with the provisions of our statutes. Her Majesty's Government has insisted that precautions have been taken before shipment to prevent these objectionable visitors from coming hither without guaranty of support by their relatives in this country. The action of the British authorities in applying measures for relief has, however, in so many cases proved ineffectual, and especially so in certain recent instances of needy emigrants reaching our territory through Canada, that a revision of our legislation upon this subject may be deemed advisable.

Correspondence relative to the Clayton-Bulwer treaty has been continued and will be laid before Congress.

The legislation of France against the importation of prepared swine products from the United States has been repealed. That result is due no less to the friendly representations of this Government than to a growing conviction in France that the restriction was not demanded by any real danger to health.

Germany still prohibits the introduction of all swine products from America. I extended to the Imperial Government a friendly invitation to send experts to the United States to inquire whether the use of those products was dangerous to health. This invitation was declined. I have believed it of such importance, however, that the exact facts should be ascertained and promulgated that I have appointed a competent commission to make a thorough investigation of the subject. Its members have shown their public spirit by accepting their trust without pledge of compensation, but I trust that Congress will see in the national and international bearings of the matter a sufficient motive for providing at least for reimbursement of such expenses as they may necessarily incur.

The coronation of the Czar at Moscow afforded to this Government an occasion for testifying its continued friendship by sending a special envoy and a representative of the Navy to attend the ceremony.

While there have arisen during the year no grave questions affecting the status in the Russian Empire of American citizens of other faith than that held by the national church, this Government remains firm in its conviction that the rights of its citizens abroad should be in no wise affected by their religious belief.

It is understood that measures for the removal of the restrictions which now burden our trade with Cuba and Puerto Rico are under consideration by the Spanish Government.

The proximity of Cuba to the United States and the peculiar methods of administration which there prevail necessitate constant discussion and appeal on our part from the proceedings of the insular authorities. I regret to say that the just protests of this Government have not as yet produced satisfactory results.

The commission appointed to decide certain claims of our citizens against the Spanish Government, after the recognition of a satisfactory rule as to the validity and force of naturalization in the United States, has finally adjourned. Some of its awards, though made more than two years ago, have not yet been paid. Their speedy payment is expected.

Claims to a large amount which were held by the late commission to be without its jurisdiction have been diplomatically presented to the

Spanish Government. As the action of the colonial authorities which has given rise to these claims was admittedly illegal, full reparation for the injury sustained by our citizens should be no longer delayed.

The case of the *Masonic* has not yet reached a settlement. The Manila court has found that the proceedings of which this Government has complained were unauthorized, and it is hoped that the Government of Spain will not withhold the speedy reparation which its sense of justice should impel it to offer for the unusual severity and unjust action of its subordinate colonial officers in the case of this vessel.

The Helvetian Confederation has proposed the inauguration of a class of international treaties for the referment to arbitration of grave questions between nations. This Government has assented to the proposed negotiation of such a treaty with Switzerland.

Under the treaty of Berlin liberty of conscience and civil rights are assured to all strangers in Bulgaria. As the United States have no distinct conventional relations with that country and are not a party to the treaty, they should, in my opinion, maintain diplomatic representation at Sofia for the improvement of intercourse and the proper protection of the many American citizens who resort to that country as missionaries and teachers. I suggest that I be given authority to establish an agency and consulate-general at the Bulgarian capital.

The United States are now participating in a revision of the tariffs of the Ottoman Empire. They have assented to the application of a license tax to foreigners doing business in Turkey, but have opposed the oppressive storage tax upon petroleum entering the ports of that country.

The Government of the Khedive has proposed that the authority of the mixed judicial tribunals in Egypt be extended so as to cover citizens of the United States accused of crime, who are now triable before consular courts. This Government is not indisposed to accept the change, but believes that its terms should be submitted for criticism to the commission appointed to revise the whole subject.

At no time in our national history has there been more manifest need of close and lasting relations with a neighboring state than now exists with respect to Mexico. The rapid influx of our capital and enterprise into that country shows, by what has already been accomplished, the vast reciprocal advantages which must attend the progress of its internal development. The treaty of commerce and navigation of 1848 has been terminated by the Mexican Government, and in the absence of conventional engagements the rights of our citizens in Mexico now depend upon the domestic statutes of that Republic. There have been instances of harsh enforcement of the laws against our vessels and citizens in Mexico and of denial of the diplomatic resort for their protection. The initial step toward a better understanding has been taken in the negotiation by the commission authorized by Congress of a treaty which is still before the Senate awaiting its approval.

The provisions for the reciprocal crossing of the frontier by the troops in pursuit of hostile Indians have been prolonged for another year. The operations of the forces of both Governments against these savages have been successful, and several of their most dangerous bands have been captured or dispersed by the skill and valor of United States and Mexican soldiers fighting in a common cause.

The convention for the resurvey of the boundary from the Rio Grande to the Pacific having been ratified and exchanged, the preliminary reconnoissance therein stipulated has been effected. It now rests with Congress to make provision for completing the survey and relocating the boundary monuments.

A convention was signed with Mexico on July 13, 1882, providing for the rehearing of the cases of Benjamin Weil and the Abra Silver Mining Company, in whose favor awards were made by the late American and Mexican Claims Commission. That convention still awaits the consent of the Senate. Meanwhile, because of those charges of fraudulent awards which have made a new commission necessary, the Executive has directed the suspension of payments of the distributive quota received from Mexico.

Our geographical proximity to Central America and our political and commercial relations with the States of that country justify, in my judgment, such a material increase of our consular corps as will place at each capital a consul-general.

The contest between Bolivia, Chile, and Peru has passed from the stage of strategic hostilities to that of negotiation, in which the counsels of this Government have been exercised. The demands of Chile for absolute cession of territory have been maintained and accepted by the party of General Iglesias to the extent of concluding a treaty of peace with the Government of Chile in general conformity with the terms of the protocol signed in May last between the Chilean commander and General Iglesias. As a result of the conclusion of this treaty General Iglesias has been formally recognized by Chile as President of Peru and his government installed at Lima, which has been evacuated by the Chileans. A call has been issued by General Iglesias for a representative assembly, to be elected on the 13th of January, and to meet at Lima on the 1st of March next. Meanwhile the provisional government of General Iglesias has applied for recognition to the principal powers of America and Europe. When the will of the Peruvian people shall be manifested, I shall not hesitate to recognize the government approved by them.

Diplomatic and naval representatives of this Government attended at Caracas the centennial celebration of the birth of the illustrious Bolivar. At the same time the inauguration of the statue of Washington in the Venezuelan capital testified to the veneration in which his memory is there held.

Congress at its last session authorized the Executive to propose to Venezuela a reopening of the awards of the mixed commission of Caracas. The departure from this country of the Venezuelan minister has delayed the opening of negotiations for reviving the commission. This Government holds that until the establishment of a treaty upon this subject the Venezuelan Government must continue to make the payments provided for in the convention of 1866.

There is ground for believing that the dispute growing out of the unpaid obligations due from Venezuela to France will be satisfactorily adjusted. The French cabinet has proposed a basis of settlement which meets my approval, but as it involves a recasting of the annual quotas of the foreign debt it has been deemed advisable to submit the proposal to the judgment of the cabinets of Berlin, Copenhagen, The Hague, London, and Madrid.

At the recent coronation of His Majesty King Kalakaua this Government was represented both diplomatically and by the formal visit of a vessel of war.

The question of terminating or modifying the existing reciprocity treaty with Hawaii is now before Congress. I am convinced that the charges of abuses and frauds under that treaty have been exaggerated, and I renew the suggestion of last year's message that the treaty be modified wherever its provisions have proved onerous to legitimate trade between the two countries. I am not disposed to favor the entire cessation of the treaty relations which have fostered good will between the countries and contributed toward the equality of Hawaii in the family of nations.

In pursuance of the policy declared by this Government of extending our intercourse with the Eastern nations, legations have during the past year been established in Persia, Siam, and Korea. It is probable that permanent missions of those countries will ere long be maintained in the United States. A special embassy from Siam is now on its way hither.

Treaty relations with Korea were perfected by the exchange at Seoul, on the 19th of May last, of the ratifications of the lately concluded convention, and envoys from the King of Tah Chosen have visited this country and received a cordial welcome. Korea, as yet unacquainted with the methods of Western civilization, now invites the attention of those interested in the advancement of our foreign trade, as it needs the implements and products which the United States are ready to supply. We seek no monopoly of its commerce and no advantages over other nations, but as the Chosenese, in reaching for a higher civilization, have confided in this Republic, we can not regard with indifference any encroachment on their rights.

China, by the payment of a money indemnity, has settled certain of the long-pending claims of our citizens, and I have strong hopes that the remainder will soon be adjusted.

Questions have arisen touching the rights of American and other foreign manufacturers in China under the provisions of treaties which permit aliens to exercise their industries in that country. On this specific point our own treaty is silent, but under the operation of the most-favored-nation clause we have like privileges with those of other powers. While it is the duty of the Government to see that our citizens have the full enjoyment of every benefit secured by treaty, I doubt the expediency of leading in a movement to constrain China to admit an interpretation which we have only an indirect treaty right to exact. The transference to China of American capital for the employment there of Chinese labor would in effect inaugurate a competition for the control of markets now supplied by our home industries.

There is good reason to believe that the law restricting the immigration of Chinese has been violated, intentionally or otherwise, by the officials of China upon whom is devolved the duty of certifying that the immigrants belong to the excepted classes.

Measures have been taken to ascertain the facts incident to this supposed infraction, and it is believed that the Government of China will cooperate with the United States in securing the faithful observance of the law.

The same considerations which prompted Congress at its last session to return to Japan the Simonoseki indemnity seem to me to require at its hands like action in respect to the Canton indemnity fund, now amounting to $300,000.

The question of the general revision of the foreign treaties of Japan has been considered in an international conference held at Tokyo, but without definite result as yet. This Government is disposed to concede the requests of Japan to determine its own tariff duties, to provide such proper judicial tribunals as may commend themselves to the Western powers for the trial of causes to which foreigners are parties, and to assimilate the terms and duration of its treaties to those of other civilized states.

Through our ministers at London and at Monrovia this Government has endeavored to aid Liberia in its differences with Great Britain touching the northwestern boundary of that Republic. There is a prospect of adjustment of the dispute by the adoption of the Mannah River as the line. This arrangement is a compromise of the conflicting territorial claims and takes from Liberia no country over which it has maintained effective jurisdiction.

The rich and populous valley of the Kongo is being opened to commerce by a society called the International African Association, of which the King of the Belgians is the president and a citizen of the United States the chief executive officer. Large tracts of territory have been ceded to the association by native chiefs, roads have been opened, steamboats placed on the river, and the nuclei of states established at twenty-two stations under one flag which offers freedom to commerce and prohibits the slave trade. The objects of the society are philanthropic. It does not aim at permanent political control, but seeks the neutrality of the valley. The United States can not be indifferent to this work nor to the interests of their citizens involved in it. It may become advisable for us to cooperate with other commercial powers in promoting the rights of trade and residence in the Kongo Valley free from the interference or political control of any one nation.

In view of the frequency of invitations from foreign governments to participate in social and scientific congresses for the discussion of important matters of general concern, I repeat the suggestion of my last message that provision be made for the exercise of discretionary power by the Executive in appointing delegates to such convocations. Able specialists are ready to serve the national interests in such capacity without personal profit or other compensation than the defrayment of expenses actually incurred, and this a comparatively small annual appropriation would suffice to meet.

I have alluded in my previous messages to the injurious and vexatious restrictions suffered by our trade in the Spanish West Indies. Brazil, whose natural outlet for its great national staple, coffee, is in and through the United States, imposes a heavy export duty upon that product. Our petroleum exports are hampered in Turkey and in other Eastern ports by restrictions as to storage and by onerous taxation. For these mischiefs adequate relief is not always afforded by reciprocity treaties like that with Hawaii or that lately negotiated with Mexico and now awaiting the action of the Senate. Is it not advisable to provide some measure of equitable retaliation in our relations with governments which discriminate against our own? If, for example, the Executive were empowered to apply to Spanish vessels and cargoes from Cuba and Puerto Rico the same rules of treatment and scale of penalties for technical faults which are applied to our vessels and cargoes in the Antilles, a resort to that course might not be barren of good results.

The report of the Secretary of the Treasury gives a full and interesting exhibit of the financial condition of the country.

It shows that the ordinary revenues from all sources for the fiscal year ended June 30, 1883, amounted to $398,287,581.95, whereof there was received—

From customs	$214,706,496.93
From internal revenue	144,720,368.98
From sales of public lands	7,955,864.42
From tax on circulation and deposits of national banks	9,111,008.85
From profits on coinage, bullion deposits, and assays	4,460,205.17
From other sources	17,333,637.60
Total	398,287,581.95

For the same period the ordinary expenditures were:

For civil expenses	$22,343,285.76
For foreign intercourse	2,419,275.24
For Indians	7,362,590.34

For pensions	$66,012,573.64
For the military establishment, including river and harbor improvements and arsenals	48,911,382.93
For the naval establishment, including vessels, machinery, and improvements at navy-yards	15,283,437.17
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	40,098,432.73
For expenditures on account of the District of Columbia	3,817,028.48
For interest on the public debt	59,160,131.25
Total	265,408,137.54

Leaving a surplus revenue of $132,879,444.41, which, with an amount drawn from the cash balance in the Treasury of $1,299,312.55, making $134,178,756.96, was applied to the redemption—

Of bonds for the sinking fund	$44,850,700.00
Of fractional currency for the sinking fund	46,556.96
Of funded loan of 1881, continued at 3½ per cent	65,380,250.00
Of loan of July and August, 1861, continued at 3½ per cent	20,594,600.00
Of funded loan of 1907	1,418,850.00
Of funded loan of 1881	719,150.00
Of loan of February, 1861	18,000.00
Of loan of July and August, 1861	266,600.00
Of loan of March, 1863	116,850.00
Of loan of July, 1882	47,650.00
Of five-twenties of 1862	10,300.00
Of five-twenties of 1864	7,050.00
Of five-twenties of 1865	9,600.00
Of ten-forties of 1864	133,550.00
Of consols of 1865	40,800.00
Of consols of 1867	235,700.00
Of consols of 1868	154,650.00
Of Oregon War debt	5,450.00
Of refunding certificates	109,150.00
Of old demand, compound-interest, and other notes	13,300.00
Total	134,178,756.96

The revenue for the present fiscal year, actual and estimated, is as follows:

Source.	For the quarter ended September 30, 1883 (actual).	For the remaining three quarters of the year (estimated).
From customs	$57,402,975.67	$137,597,024.33
From internal revenue	29,662,078.60	90,337,921.40
From sales of public lands	2,932,635.17	5,067,364.83
From tax on circulation and deposits of national banks	1,557,800.88	1,542,199.12
From repayment of interest and sinking fund, Pacific Railway companies	521,059.51	1,478,940.49
From customs fees, fines, penalties, etc	298,696.78	901,303.22
From fees—consular, letters patent, and lands	863,209.80	2,436,790.20
From proceeds of sales of Government property	112,562.23	167,437.77
From profits on coinage, etc	950,229.46	3,149,770.54
From deposits for surveying public lands	172,461.31	327,538.69
From revenues of the District of Columbia	256,017.99	1,643,982.01
From miscellaneous sources	1,237,189.63	2,382,810.37
Total receipts	95,966,917.03	247,033,082.97

The actual and estimated expenses for the same period are:

Object.	For the quarter ended September 30, 1883 (actual).	For the remaining three quarters of the year (estimated).
For civil and miscellaneous expenses, including public buildings, light-houses, and collecting the revenue	$15,385,799.42	$51,114,200.58
For Indians	2,623,390.54	4,126,609.46
For pensions	16,285,261.98	53,714,738.02
For military establishment, including fortifications, river and harbor improvements, and arsenals	13,512,204.33	26,487,795.67
For naval establishment, including vessels and machinery, and improvements at navy-yards	4,199,299.69	12,300,700.31
For expenditures on account of the District of Columbia	1,138,836.41	2,611,163.59
For interest on the public debt	14,797,297.96	39,702,702.04
Total ordinary expenditures	67,942,090.33	190,057,909.67

Total receipts, actual and estimated	$343,000,000.00
Total expenditures, actual and estimated	258,000,000.00
	85,000,000.00
Estimated amount due the sinking fund	45,816,741.07
Leaving a balance of	39,183,258.93

If the revenue for the fiscal year which will end on June 30, 1885, be estimated upon the basis of existing laws, the Secretary is of the opinion that for that year the receipts will exceed by $60,000,000 the ordinary expenditures including the amount devoted to the sinking fund.

Hitherto the surplus, as rapidly as it has accumulated, has been devoted to the reduction of the national debt.

As a result the only bonds now outstanding which are redeemable at the pleasure of the Government are the 3 percents, amounting to about $305,000,000.

The 4½ percents, amounting to $250,000,000, and the $737,000,000 4 percents are not payable until 1891 and 1907, respectively.

If the surplus shall hereafter be as large as the Treasury estimates now indicate, the 3 per cent bonds may all be redeemed at least four years before any of the 4½ percents can be called in. The latter at the same rate of accumulation of surplus can be paid at maturity, and the moneys requisite for the redemption of the 4 percents will be in the Treasury many years before those obligations become payable.

There are cogent reasons, however, why the national indebtedness should not be thus rapidly extinguished. Chief among them is the fact that only by excessive taxation is such rapidity attainable.

In a communication to the Congress at its last session I recommended that all excise taxes be abolished except those relating to distilled spirits and that substantial reductions be also made in the revenues from customs. A statute has since been enacted by which the annual tax and tariff receipts of the Government have been cut down to the extent of at least fifty or sixty millions of dollars.

While I have no doubt that still further reductions may be wisely made, I do not advise the adoption at this session of any measures for large diminution of the national revenues. The results of the legislation of the last session of the Congress have not as yet become sufficiently apparent to justify any radical revision or sweeping modifications of existing law.

In the interval which must elapse before the effects of the act of March 3, 1883, can be definitely ascertained a portion at least of the surplus revenues may be wisely applied to the long-neglected duty of rehabilitating our Navy and providing coast defenses for the protection of our harbors. This is a matter to which I shall again advert.

Immediately associated with the financial subject just discussed is the important question what legislation is needed regarding the national currency.

The aggregate amount of bonds now on deposit in the Treasury to support the national-bank circulation is about $350,000,000. Nearly $200,000,000 of this amount consists of 3 percents, which, as already stated, are payable at the pleasure of the Government and are likely to be called in within less than four years unless meantime the surplus revenues shall be diminished.

The probable effect of such an extensive retirement of the securities which are the basis of the national-bank circulation would be such a contraction of the volume of the currency as to produce grave commercial embarrassments.

How can this danger be obviated? The most effectual plan, and one whose adoption at the earliest practicable opportunity I shall heartily approve, has already been indicated.

If the revenues of the next four years shall be kept substantially commensurate with the expenses, the volume of circulation will not be likely to suffer any material disturbance; but if, on the other hand, there shall be great delay in reducing taxation, it will become necessary either to substitute some other form of currency in place of the national-bank notes or to make important changes in the laws by which their circulation is now controlled.

In my judgment the latter course is far preferable. I commend t your attention the very interesting and thoughtful suggestions upo this subject which appear in the Secretary's report.

The objections which he urges against the acceptance of any other securities than the obligations of the Government itself as a foundation for national-bank circulation seem to me insuperable.

For averting the threatened contraction two courses have been suggested, either of which is probably feasible. One is the issuance of new bonds, having many years to run, bearing a low rate of interest, and exchangeable upon specified terms for those now outstanding. The other course, which commends itself to my own judgment as the better, is the enactment of a law repealing the tax on circulation and permitting the banks to issue notes for an amount equal to 90 per cent of the market value instead of, as now, the face value of their deposited bonds. I agree with the Secretary in the belief that the adoption of this plan would afford the necessary relief.

The trade dollar was coined for the purpose of traffic in countries where silver passed at its value as ascertained by its weight and fineness. It never had a legal-tender quality. Large numbers of these coins entered, however, into the volume of our currency. By common consent their circulation in domestic trade has now ceased, and they have thus become a disturbing element. They should not be longer permitted to embarrass our currency system. I recommend that provision be made for their reception by the Treasury and the mints, as bullion, at a small percentage above the current market price of silver of like fineness.

The Secretary of the Treasury advises a consolidation of certain of the customs districts of the country, and suggests that the President be vested with such power in relation thereto as is now given him in respect to collectors of internal revenue by section 3141 of the Revised Statutes. The statistics upon this subject which are contained in his report furnish of themselves a strong argument in defense of his views.

At the adjournment of Congress the number of internal-revenue collection districts was 126. By Executive order dated June 25, 1883, I directed that certain of these districts be consolidated. The result has been a reduction of one-third their number, which at present is but 83.

From the report of the Secretary of War it will be seen that in only a single instance has there been any disturbance of the quiet condition of our Indian tribes. A raid from Mexico into Arizona was made in March last by a small party of Indians, which was pursued by General Crook into the mountain regions from which it had come. It is confidently hoped that serious outbreaks will not again occur and that the Indian tribes which have for so many years disturbed the West will hereafter remain in peaceable submission.

I again call your attention to the present condition of our extended seacoast, upon which are so many large cities whose wealth and importance to the country would in time of war invite attack from modern armored ships, against which our existing defensive works could give no adequate protection. Those works were built before the introduction of modern heavy rifled guns into maritime warfare, and if they are not put in an efficient condition we may easily be subjected to humiliation by a hostile power greatly inferior to ourselves. As germane to this subject, I call your attention to the importance of perfecting our submarine-torpedo defenses. The board authorized by the last Congress to report upon the method which should be adopted for the manufacture of heavy ordnance adapted to modern warfare has visited the principal iron and steel works in this country and in Europe. It is hoped that its report will soon be made, and that Congress will thereupon be disposed to provide suitable facilities and plant for the manufacture of such guns as are now imperatively needed.

On several occasions during the past year officers of the Army have at the request of the State authorities visited their militia encampments for inspection of the troops. From the reports of these officers I am induced to believe that the encouragement of the State militia organizations by the National Government would be followed by very gratifying results, and would afford it in sudden emergencies the aid of a large body of volunteers educated in the performance of military duties.

The Secretary of the Navy reports that under the authority of the acts of August 5, 1882, and March 3, 1883, the work of strengthening our Navy by the construction of modern vessels has been auspiciously begun. Three cruisers are in process of construction—the *Chicago*, of 4,500 tons displacement, and the *Boston* and *Atlanta*, each of 2,500 tons. They are to be built of steel, with the tensile strength and ductility prescribed by law, and in the combination of speed, endurance, and armament are expected to compare favorably with the best unarmored war vessels of other nations. A fourth vessel, the *Dolphin*, is to be constructed of similar material, and is intended to serve as a fleet dispatch boat.

The double-turreted monitors *Puritan*, *Amphitrite*, and *Terror* have been launched on the Delaware River and a contract has been made for the supply of their machinery. A similar monitor, the *Monadnock*, has been launched in California.

The Naval Advisory Board and the Secretary recommend the completion of the monitors, the construction of four gunboats, and also of three additional steel vessels like the *Chicago*, *Boston*, and *Dolphin*.

As an important measure of national defense, the Secretary urges also the immediate creation of an interior coast line of waterways across the peninsula of Florida, along the coast from Florida to Hampton Roads, between the Chesapeake Bay and the Delaware River, and through Cape Cod.

I feel bound to impress upon the attention of Congress the necessity of continued progress in the reconstruction of the Navy. The condition of the public Treasury, as I have already intimated, makes the present an auspicious time for putting this branch of the service in a state of efficiency.

It is no part of our policy to create and maintain a Navy able to cope with that of the other great powers of the world.

We have no wish for foreign conquest, and the peace which we have long enjoyed is in no seeming danger of interruption.

But that our naval strength should be made adequate for the defense of our harbors, the protection of our commercial interests, and the maintenance of our national honor is a proposition from which no patriotic citizen can withhold his assent.

The report of the Postmaster-General contains a gratifying exhibit of the condition and prospects of the interesting branch of the public service committed to his care.

It appears that on June 30, 1883, the whole number of post-offices was 47,863, of which 1,632 were established during the previous fiscal year. The number of offices operating under the system of free delivery was 154.

At these latter offices the postage on local matter amounted to $4,195,230.52, a sum exceeding by $1,021,894.01 the entire cost of the carrier service of the country.

The rate of postage on drop letters passing through these offices is now fixed by law at 2 cents per half ounce or fraction thereof. In offices where the carrier system has not been established the rate is only half as large.

It will be remembered that in 1863, when free delivery was first established by law, the uniform single-rate postage upon local letters was 1 cent, and so it remained until 1872, when in those cities where carrier service was established it was increased in order to defray the expense of such service.

It seems to me that the old rate may now with propriety be restored, and that, too, even at the risk of diminishing, for a time at least, the receipts from postage upon local letters.

I can see no reason why that particular class of mail matter should be held accountable for the entire cost of not only its own collection and delivery, but the collection and delivery of all other classes; and I am confident, after full consideration of the subject, that the reduction of rate would be followed by such a growing accession of business as to occasion but slight and temporary loss to the revenues of the Post-Office. The Postmaster-General devotes much of his report to the consideration in its various aspects of the relations of the Government to the telegraph. Such reflection as I have been able to give to this subject since my last annual message has not led me to change the views which I there expressed in dissenting from the recommendation of the then Postmaster-General that the Government assume the same control over the telegraph which it has always exercised over the mail.

Admitting that its authority in the premises is as ample as has ever been claimed for it, it would not, in my judgment, be a wise use of that authority to purchase or assume the control of existing telegraph lines, or to construct others with a view of entering into general competition with private enterprise.

The objections which may be justly urged against either of those projects, and indeed against any system which would require an enormous increase in the civil-service list, do not, however, apply to some of the plans which have lately provoked public comment and discussion. It has been claimed, for example, that Congress might wisely authorize the Postmaster-General to contract with some private persons or corporation for the transmission of messages, or of a certain class of messages, at specified rates and under Government supervision. Various such schemes, of the same general nature, but widely differing in their special characteristics, have been suggested in the public prints, and the arguments by which they have been supported and opposed have doubtless attracted your attention.

It is likely that the whole subject will be considered by you at the present session.

In the nature of things it involves so many questions of detail that your deliberations would probably be aided slightly, if at all, by any particular suggestions which I might now submit.

I avow my belief, however, that the Government should be authorized by law to exercise some sort of supervision over interstate telegraphic communication, and I express the hope that for attaining that end some measure may be devised which will receive your approbation.

The Attorney-General criticises in his report the provisions of existing law fixing the fees of jurors and witnesses in the Federal courts. These provisions are chiefly contained in the act of February 26, 1853, though some of them were introduced into that act from statutes which had been passed many years previous. It is manifest that such compensation as might when these laws were enacted have been just and reasonable would in many instances be justly regarded at the present day as inadequate. I concur with the Attorney-General in the belief that the statutes should be revised by which these fees are regulated.

So, too, should the laws which regulate the compensation of district attorneys and marshals. They should be paid wholly by salaries instead of in part by fees, as is now the case.

The change would prove to be a measure of economy and would discourage the institution of needless and oppressive legal proceedings, which it is to be feared have in some instances been conducted for the mere sake of personal gain.

Much interesting and varied information is contained in the report of the Secretary of the Interior.

I particularly call your attention to his presentation of certain phases of the Indian question, to his recommendations for the repeal of the preemption and timber-culture acts, and for more stringent legislation to prevent frauds under the pension laws. The statutes which prescribe the definitions and punishments of crimes relating to pensions could doubtless be made more effective by certain amendments and additions which are pointed out in the Secretary's report.

I have previously referred to the alarming state of illiteracy in certain portions of the country, and again submit for the consideration of Congress whether some Federal aid should not be extended to public primary education wherever adequate provision therefor has not already been made.

The Utah Commission has submitted to the Secretary of the Interior its second annual report. As a result of its labors in supervising the recent election in that Territory, pursuant to the act of March 22, 1882, it appears that persons by that act disqualified to the number of about 12,000, were excluded from the polls. This fact, however, affords little cause for congratulation, and I fear that it is far from indicating any real and substantial progress toward the extirpation of polygamy. All the members elect of the legislature are Mormons. There is grave reason to believe that they are in sympathy with the practices that this Government is seeking to suppress, and that its efforts in that regard will be more likely to encounter their opposition than to receive their encouragement and support. Even if this view should happily be erroneous, the law under which the commissioners have been acting should be made more effective by the incorporation of some such stringent amendments as they recommend, and as were included in bill No. 2238 on the Calendar of the Senate at its last session.

I am convinced, however, that polygamy has become so strongly intrenched in the Territory of Utah that it is profitless to attack it with any but the stoutest weapons which constitutional legislation can fashion. I favor, therefore, the repeal of the act upon which the existing government depends, the assumption by the National Legislature of the entire political control of the Territory, and the establishment of a commission with such powers and duties as shall be delegated to it by law.

The Department of Agriculture is accomplishing much in the direction of the agricultural development of the country, and the report of the Commissioner giving the results of his investigations and experiments will be found interesting and valuable.

At his instance a convention of those interested in the cattle industry of the country was lately held at Chicago. The prevalence of pleuropneumonia and other contagious diseases of animals was one of the chief topics of discussion. A committee of the convention will invite your cooperation in investigating the causes of these diseases and providing methods for their prevention and cure.

I trust that Congress will not fail at its present session to put Alaska under the protection of law. Its people have repeatedly remonstrated against our neglect to afford them the maintenance and protection expressly guaranteed by the terms of the treaty whereby that Territory was ceded to the United States. For sixteen years they have pleaded in vain for that which they should have received without the asking.

They have no law for the collection of debts, the support of education, the conveyance of property, the administration of estates, or the enforcement of contracts; none, indeed, for the punishment of criminals, except such as offend against certain customs, commerce, and navigation acts.

The resources of Alaska, especially in fur, mines, and lumber, are considerable in extent and capable of large development, while its geographical situation is one of political and commercial importance.

The promptings of interest, therefore, as well as considerations of honor and good faith, demand the immediate establishment of civil government in that Territory.

Complaints have lately been numerous and urgent that certain corporations, controlling in whole or in part the facilities for the interstate carriage of persons and merchandise over the great railroads of the country, have resorted in their dealings with the public to divers measures unjust and oppressive in their character.

In some instances the State governments have attacked and suppressed these evils, but in others they have been unable to afford adequate relief because of the jurisdictional limitations which are imposed upon them by the Federal Constitution.

The question how far the National Government may lawfully interfere in the premises, and what, if any, supervision or control it ought to exercise, is one which merits your careful consideration.

While we can not fail to recognize the importance of the vast railway systems of the country and their great and beneficent influences upon the development of our material wealth, we should, on the other hand, remember that no individual and no corporation ought to be invested with absolute power over the interest of any other citizen or class of citizens. The right of these railway corporations to a fair and profitable return upon their investments and to reasonable freedom in their regulations must be recognized; but it seems only just that, so far as its constitutional authority will permit, Congress should protect the people at large in their interstate traffic against acts of injustice which the State governments are powerless to prevent.

In my last annual message I called attention to the necessity of protecting by suitable legislation the forests situated upon the public domain. In many portions of the West the pursuit of general agriculture is only made practicable by resort to irrigation, while successful irrigation would itself be impossible without the aid afforded by forests in contributing to the regularity and constancy of the supply of water.

During the past year severe suffering and great loss of property have been occasioned by profuse floods followed by periods of unusually low water in many of the great rivers of the country.

These irregularities were in great measure caused by the removal from about the sources of the streams in question of the timber by which the water supply had been nourished and protected.

The preservation of such portions of the forests on the national domain as essentially contribute to the equable flow of important water courses is of the highest consequence.

Important tributaries of the Missouri, the Columbia, and the Saskatchewan rise in the mountain region of Montana, near the northern boundary of the United States, between the Blackfeet and Flathead Indian reservations. This region is unsuitable for settlement, but upon the rivers which flow from it depends the future agricultural development of a vast tract of country. The attention of Congress is called to the necessity of withdrawing from public sale this part of the public domain and establishing there a forest preserve.

The industrial exhibitions which have been held in the United States during the present year attracted attention in many foreign countries, where the announcement of those enterprises had been made public through the foreign agencies of this Government. The Industrial Exhibition at Boston and the Southern Exposition at Louisville were largely attended by the exhibitors of foreign countries, notwithstanding the absence of any professed national character in those undertakings.

The Centennial Exposition to be held next year at New Orleans in commemoration of the centenary of the first shipment of cotton from a port of the United States bids fair to meet with like gratifying success. Under the act of Congress of the 10th of February, 1883, declaring that exposition to be national and international in its character, all foreign governments with which the United States maintain relations have been invited to participate.

The promoters of this important undertaking have already received assurances of the lively interest which it has excited abroad.

The report of the Commissioners of the District of Columbia is herewith transmitted. I ask for it your careful attention, especially for those portions which relate to assessments, arrears of taxes, and increase of water supply.

The commissioners who were appointed under the act of January 16, 1883, entitled "An act to regulate and improve the civil service of the United States," entered promptly upon the discharge of their duties.

A series of rules, framed in accordance with the spirit of the statute, was approved and promulgated by the President.

In some particulars wherein they seemed defective those rules were subsequently amended. It will be perceived that they discountenance any political or religious tests for admission to those offices of the public service to which the statute relates.

The act is limited in its original application to the classified clerkships in the several Executive Departments at Washington (numbering about 5,600) and to similar positions in customs districts and post-offices where as many as fifty persons are employed. A classification of these positions analogous to that existing in the Washington offices was duly made before the law went into effect. Eleven customs districts and twenty-three post-offices were thus brought under the immediate operation of the statute.

The annual report of the Civil Service Commission which will soon be submitted to Congress will doubtless afford the means of a more definite judgment than I am now prepared to express as to the merits of the new system. I am persuaded that its effects have thus far proved beneficial. Its practical methods appear to be adequate for the ends proposed, and there has been no serious difficulty in carrying them into effect. Since the 16th of July last no person, so far as I am aware, has been appointed to the public service in the classified portions thereof at any of the Departments, or at any of the post-offices and customs districts above named, except those certified by the Commission to be the most competent on the basis of the examinations held in conformity to the rules.

At the time when the present Executive entered upon his office his death, removal, resignation, or inability to discharge his duties would have left the Government without a constitutional head.

It is possible, of course, that a similar contingency may again arise unless the wisdom of Congress shall provide against its recurrence.

The Senate at its last session, after full consideration, passed an act relating to this subject, which will now, I trust, commend itself to the approval of both Houses of Congress.

The clause of the Constitution upon which must depend any law regulating the Presidential succession presents also for solution other questions of paramount importance.

These questions relate to the proper interpretation of the phrase "inability to discharge the powers and duties of said office," our organic law providing that when the President shall suffer from such inability the Presidential office shall devolve upon the Vice-President, who must himself under like circumstances give place to such officer as Congress may by law appoint to act as President.

I need not here set forth the numerous and interesting inquiries which are suggested by these words of the Constitution. They were fully stated in my first communication to Congress and have since been the subject of frequent deliberations in that body.

It is greatly to be hoped that these momentous questions will find speedy solution, lest emergencies may arise when longer delay will be impossible and any determination, albeit the wisest, may furnish cause for anxiety and alarm.

For the reasons fully stated in my last annual message I repeat my recommendation that Congress propose an amendment to that provision of the Constitution which prescribes the formalities for the enactment of laws, whereby, in respect to bills for the appropriation of public moneys, the Executive may be enabled, while giving his approval to particular items, to interpose his veto as to such others as do not commend themselves to his judgment.

The fourteenth amendment of the Constitution confers the rights of citizenship upon all persons born or naturalized in the United States and subject to the jurisdiction thereof. It was the special purpose of this amendment to insure to members of the colored race the full enjoyment of civil and political rights. Certain statutory provisions intended to secure the enforcement of those rights have been recently declared unconstitutional by the Supreme Court.

Any legislation whereby Congress may lawfully supplement the guaranties which the Constitution affords for the equal enjoyment by all the citizens of the United States of every right, privilege, and immunity of citizenship will receive my unhesitating approval.

CHESTER A. ARTHUR.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, submitting, with accompanying papers, draft of a bill to accept and ratify certain agreements made with the Sioux Indians and to grant a right of way to the Dakota Central Railway Company through the Sioux Reservation in Dakota.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, with accompanying papers, submitting draft of a bill to prevent timber depredations on Indian reservations.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 3d instant from the Secretary of the Interior, in relation to the urgent necessity of action on the part of the Congress for the more adequate prevention of trespasses upon Indian lands, with copy of report from the Commissioner of Indian Affairs upon the subject, draft of bill for the object indicated, and copy of correspondence from the Secretary of War recommending action in the premises.

The matter is commended to the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 3d instant from the Secretary of the Interior, with the draft of a bill "to accept and ratify an agreement made by the Pi-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River Reservation, in Nevada," and accompanying papers in relation to the subject.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, with accompanying papers, submitting a draft of a bill "providing for the allotment of lands in severalty to certain Chippewa Indians of Lake Superior residing in the State of Wisconsin, and granting patents therefor."

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, with draft of bill for the payment of certain settlers in the State of Nevada for improvements on lands in Duck Valley, in that State, taken for the use and occupancy of the Shoshone Indians, with accompanying papers.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 10, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, submitting, with accompanying papers, draft of a bill "to provide for the settlement of the estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes."

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 11, 1883.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing a communication from the Commissioner of Indian Affairs setting forth the necessity of a deficiency appropriation of $60,000 for the immediate wants of his Bureau.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 13, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, inclosing copies of official reports, etc., by the military authorities touching the necessity for the acquisition of additional land for the military reservation of Fort Preble, Me., and expressing his concurrence in the recommendation of the Lieutenant-General of the Army that the sum of $8,000 be appropriated by Congress for the purchase of such additional land.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 13, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, touching the question of the reconstruction of a bridge over the Republican River at or near Fort Riley, in the State of Kansas, and recommending such legislation as will authorize the reconstruction of said bridge by the United States in accordance with the terms and provisions of a joint resolution of the legislature of the State of Kansas approved March 6, 1883, a copy of which is herewith inclosed.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 13, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 4th instant, inclosing and commending to favorable consideration a letter from the board of commissioners of the Soldiers' Home, dated Washington, D. C., November 27, 1883, recommending such legislation as will confer upon said board of commissioners authority to advance a sum not exceeding $40,000 annually from funds found to be due the Soldiers' Home on settlements to be made in the offices of the Second Comptroller and Second Auditor, to pay for the services of extra clerks to be employed under the direction of the Secretary of the Treasury in making such settlements.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 13, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a copy of a communication from the Secretary of War, dated the 8th instant, inclosing one from Captain S. M. Mills, Fifth Artillery, indorsed by the Chief Signal Officer of the Army, recommending that Congress authorize the printing and binding, for the use of the Signal Office, of 5,000 copies of the Annual Report of the Chief Signal Officer for the fiscal year 1882, and inclosing a draft of a joint resolution for that purpose.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 13, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 8th instant, and its accompanying papers, relative to the reconveyance to Mr. Thomas Mulvihill, of Pittsburg, Pa., of certain land erroneously conveyed by him to the United States, the particular facts regarding which are fully set forth in the inclosed copy of Senate Executive Document No. 46, Forty-seventh Congress, second session.

It appearing that the land in question was through error alone transferred to the United States, and that to retransfer the same to Mr. Mulvihill would be a measure of simple justice, it is recommended that such legislation be had as may be necessary to restore to Mr. Mulvihill his rights in the premises.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 4th instant, with accompanying papers, submitting a draft of a bill "to confirm the title to certain land in the Indian Territory to the Cheyennes and Arapahoes and the Wichitas and affiliated bands, to provide for the issuance of patents therefor, and for other purposes."

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 11th instant from the Secretary of the Interior, submitting, with accompanying papers, draft of a bill "to provide for the issuance of patents for certain lands in the Indian Territory occupied by the Kickapoo, Iowa, and other Indians."

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 6th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill "to accept and ratify an agreement with the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreille Indians for the sale of a portion of their reservation in the Territory of Montana required for the use of the Northern Pacific Railroad, and for other purposes."

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 4th instant, submitting, with accompanying papers, draft of a bill "to accept and ratify the agreement submitted by the Shoshones, Bannocks, and Sheepeaters of the Fort Hall and Lemhi reservations, in Idaho, May 14, 1880, for the sale of a portion of their land in said Territory and for other purposes, and to make the necessary appropriations for carrying out the same."

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting a draft of a bill "providing for allotment of lands in severalty to the Indians residing upon the Chehalis Reservation, in Washington Territory, and granting patents therefor," with accompanying report from the Commissioner of Indian Affairs upon the subject.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 3d instant, with accompanying papers, submitting a draft of a bill for the relief of the Nez Percé Indians in the Territory of Idaho and of the allied tribes residing on the Grande Ronde Indian Reservation, in the State of Oregon.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 4th instant, submitting, with accompanying papers, draft of a bill to accept and ratify certain agreements made with the Sioux Indians and to grant a right of way to the Chicago, Milwaukee, and St. Paul Railway Company through the Sioux Reservation in Dakota.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated December 13 instant, inclosing one from the Surgeon-General of the Army submitting a special estimate for funds in the sum of $200,000 for the erection in this city of a suitable fireproof building to contain the records, library, and museum of the Medical Department of the Army, together with preliminary plans for said building and copies of reports, etc., in relation to the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Navy, dated the 10th instant, inclosing a letter from the Surgeon-General of the Navy respecting the advisability of providing for representation on the part of the United States in any international convention that may be organized for the purpose of establishing uniform standards of measure of color perception and acuteness of vision.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 3d instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill for the payment of the value of certain improvements made by certain settlers on the Round Valley Indian Reservation, in the State of California, as appraised under the act approved March 3, 1873.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 12th instant from the Secretary of the Interior, submitting a report of the Commissioner of Indian Affairs of December 8, 1883, and accompanying papers, on the subject of the "Old Settler" or "Western" Cherokees."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 4th instant from the Secretary of the Interior, with draft of a bill to accept and ratify an agreement made with Chief Moses and other Indians for the relinquishment of certain lands in Washington Territory, and to make the necessary appropriations for carrying the same into effect, with accompanying papers.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 15th instant, inclosing one from the Quartermaster-General setting forth the necessity for the construction of a fireproof building in this city for the storage of the public records.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing a copy of a communication from the Commissioner of Indian Affairs setting forth the necessity of a deficiency appropriation of $78,110 for the purchase of supplies for the balance of the present fiscal year for the Crow Indians.

CHESTER A ARTHUR.

EXECUTIVE MANSION,
Washington, December 19, 1883.

To the Senate of the United States:

I transmit herewith, in response to the Senate resolution of the 18th instant, a report of the Secretary of State and accompanying papers, relating to the treaty between the United States and Great Britain signed April 19, 1850.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 19, 1883.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated December 14, 1883, upon the subject of abandoned military reservations, and renewing his former recommendation for such legislation as will provide for the disposal of military sites that are no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 19, 1883.

To the Senate of the United States of America:

I transmit herewith to the Senate, for its consideration with a view to ratification, a treaty of extradition between the United States of America and the Grand Duchy of Luxemburg, concluded at Berlin on the 29th of October, A. D. 1883.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 24, 1883.

To the House of Representatives:

The House of Representatives having adopted on the 19th instant a resolution in the following words—

> *Resolved*, That the Secretary of State be, and he is hereby, requested to furnish for the information of this House, without delay, if not incompatible with the public service, all communications, documents, and papers in his possession relating to the trial, conviction, and execution of the late Patrick O'Donnell by the British Government—

I transmit herewith a report made to me by the Secretary of State, with the papers enumerated in the subjoined list, as answering said resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 7, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 19th ultimo, submitting, with accompanying papers, a draft of a bill providing for the allotment of lands in severalty to the Arickaree, Gros Ventre, and Mandan Indians on the Fort Berthold Indian Reservation, in Dakota, and the granting of patents therefor, and for other purposes.

The matter is presented for the action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 7, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior of the 19th ultimo, submitting, with accompanying papers, a draft of a bill "to allow Indian homestead entries in certain cases without the payment of fees and commissions."

The matter is presented for the consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 7, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 2d instant, inclosing copies of official correspondence, reports, etc., in relation to the military post of Fort Sullivan, Me., and recommending such legislation as will authorize the sale of the site to the highest bidder after public advertisement, the same being no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 8, 1884.*

To the Senate and House of Representatives:

I submit a communication from the governor of the State of Illinois, with a copy of an act of the general assembly of that State tendering to the United States the cession of the Illinois and Michigan Canal upon condition that it shall be enlarged and maintained as a national waterway for commercial purposes.

The proposed cession is an element of the subject which Congress had under consideration in directing by the act of August 2, 1882, a survey for a canal from a point on the Illinois River at or near the town of Hennepin by the most practicable route to the Mississippi River at or above the city of Rock Island, the canal to be not less than 70 feet wide at the water line and not less than 7 feet in depth of water, and with capacity for vessels of at least 280 tons burden; and also a survey of the Illinois and Michigan Canal and an estimate of the cost of enlarging it to the dimensions of the proposed canal between Hennepin and the Mississippi River.

The surveys ordered in the above act have been completed and the report upon them is included in the last annual report of the Secretary of War, and a copy is herewith submitted. It is estimated in the report that by the enlargement of the Illinois and Michigan Canal and the construction of the proposed canal by the shortest route between Hennepin and the Mississippi River a direct and convenient thoroughfare for vessels of 280 tons burden may be opened from the Mississippi River to Lake Michigan at a cost of $8,110,286.65, and that the annual charge for maintenance would be $138,600.

It appears from these papers that the estimated yield of corn, wheat, and oats for 1882 in the States of Illinois, Wisconsin, Iowa, Minnesota, Kansas, and Nebraska was more than 1,000,000,000 bushels. It is claimed that if the cheap water transportation route which is now continuous from the Atlantic Ocean to Chicago is extended to the Upper Mississippi by such a canal a great benefit in the reduction of freight charges would result to the people of the Upper Mississippi Valley, whose productions I have only partly noted, not only upon their own shipments, but upon the articles of commerce used by them, which are now taken from the Eastern States by water only as far as Chicago.

As a matter of great interest, especially to the citizens of that part of the country, I commend the general subject to your consideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 8, 1884.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 7th instant, respecting the alleged distribution of circulars in some of the Departments asking contributions for political purposes, I hereby transmit the reply of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 8, 1884.*

To the Senate and House of Representatives:

I transmit herewith to the House of Representatives a communication from the Secretary of War, submitting the annual report of the Mississippi River Commission.

I take this occasion to invite the early attention of Congress to the continuation of the work on the Mississippi River which is being carried on under the plans of the commission. My sense of the importance of the improvement of this river, not only to the people of the Northwest, but especially to the inhabitants of the Lower Mississippi Valley, has already been expressed in a special communication to the last Congress. The harvests of grain and cotton produced in the region bordering upon the Mississippi are so vast as to be of national importance, and the project now being executed for their cheap transportation should be sufficiently provided for.

The commission report that the results due to the still uncompleted works have been remarkable, and give the highest encouragement for expecting the ultimate success of the improvement.

The act of August 2, 1882, appropriated $4,123,000 for the work on that part of the river below Cairo. The estimates of the commission already transmitted to Congress call for $3,000,000 for the continuation of the work below Cairo, and it appears from their report that all of the last appropriation available for active operations has been exhausted and that there is urgently needed an immediate appropriation of $1,000,000 to continue the work without loss of time, in view of the approach of the flood season, with its attendant dangers.

I therefore recommend to Congress the early passage of a separate bill on this subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 9, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War of the 7th instant, inclosing a copy of one from the Quartermaster-General of the Army submitting plans and estimates for the construction of walls, etc., at the Schuylkill Arsenal, Philadelphia, Pa., rendered necessary by the opening of Peltz street, and recommending that an appropriation be made of the amount estimated to be requisite for the work referred to.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 14, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting, with accompanying papers, an estimate of appropriation in the sum of $25,000 for the settlement under existing treaties of certain freedmen and their descendants upon lands known as the Oklahoma district, within the Indian Territory.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 14, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 11th instant from the Secretary of the Interior, submitting, with accompanying papers, an item of appropriation in the sum of $3,000 for the location and survey of boundary lines of certain lands purchased by the United States from the Creek Indians for the use of the Seminole Indians in the Indian Territory.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 14, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill "for the relief of the Mission Indians in the State of California."

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 15, 1884.

To the Senate of the United States:

In response to the resolution of the Senate of the 8th instant, calling for the correspondence on file upon the subject of discriminating duties upon commerce between the United States and Cuba and Puerto Rico, I transmit herewith a report made to me by the Secretary of State, with accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 16, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a copy of a letter from the secretary of state of the State of Pennsylvania, dated November 26, 1883, inclosing a duly authenticated copy of an act of the legislature of that State entitled "An act to provide for the preservation, use, custody, and disposition of the marine hospital at Erie, and making an appropriation for the repair of the same," approved July 5, 1883, and tendering to the United States Government, on behalf of the governor, in pursuance of the provisions of the act, the said marine hospital for use as a soldiers' and sailors' home.

The papers having upon their receipt been referred by me to the Secretary of War, I inclose also a copy of his letter of the 12th instant returning the same, together with a copy of the report of Captain Edward

Maguire, Corps of Engineers, dated the 10th ultimo, giving a description of the property referred to and expressing his views as to its adaptability for a soldiers and sailors' home.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 16, 1884*.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, dated the 11th instant, suggesting further action by Congress in the matter of granting leases of bath houses and bath-house sites at the Hot Springs Reservation, Ark.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 17, 1884*.

To the Senate and House of Representatives:

I transmit, for the consideration of Congress, a communication from the Secretary of War and the Secretary of the Navy, on the subject of an expedition for the relief of Lieutenant A. W. Greely and his party, composing what is known as the "Lady Franklin Bay Expedition," which was sent to the arctic regions in 1881 under the provisions of the acts of Congress approved May 1, 1880, and March 3, 1881.

In the plans for the relief of this party, as arranged with Lieutenant Greely, it was contemplated that an effort would be made to communicate with him and furnish him any needed assistance in 1882 and again in 1883.

Subsequently legislation was enacted which required the expedition of 1883 to bring the party home. It was a part of the arrangement that if communication should not be made with him on or before the 1st of September, 1883, he should, with his party, abandon his station at Lady Franklin Bay not later than the above-mentioned date and proceed southward, and would find a well-supplied relief station at the entrance to Smiths Sound, a point where it would not be difficult to reach him during a part of each year. The expeditions of 1882 and 1883 were sent, but neither one of them was able to communicate with Lieutenant Greely; and the last one failed to accomplish any part of its object beyond leaving a very small quantity of stores in the neighborhood of the entrance to Smiths Sound.

The situation of Lieutenant Greely and his party under these circumstances is one of great peril, and in presenting the preliminary views of the board appointed by me to take into consideration an expedition for their relief I urgently recommend prompt action by Congress to enable the recommendations of the Secretary of War and the Secretary of the Navy to be carried out without delay.

CHESTER A. ARTHUR.

GRANT'S TOMB, MORNINGSIDE HEIGHTS, NEW YORK CITY

GRANT'S TOMB.

Seldom have Shakespeare's lines, "The good (which men do) is oft interred with their bones," been disproved better than in the construction of the mausoleum which contains the last mortal remains of Ulysses S. and Julia Dent Grant. The tomb is on Riverside Drive, New York, where it commands a comprehensive view of that magnificent boulevard; and it is viewed every year by thousands of visitors. It was constructed at a cost of $500,000, most of which was secured by popular subscription. Over the doorway are inscribed the immortal words which Grant wrote under date of May 29, 1868, to the President of the Republican National Convention, giving his views of the policy to guide the Republic in the arduous days of Reconstruction—"LET US HAVE PEACE."

EXECUTIVE MANSION, *January 22, 1884.*

To the House of Representatives:

I transmit herewith, in response to the resolution of the House dated January 11, 1883, a letter, dated the 21st instant, from the Secretary of War, together with a report submitted to him by the Chief of Engineers, embodying the information, so far as the same can be furnished from the records of his office, and a statement prepared in the Treasury Department, respecting the expenditures for rivers and harbors, called for by the said resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 28, 1884.*

To the Senate and House of Representatives:

I transmit to Congress a communication from the Secretary of War, in relation to the necessity of an immediate appropriation of not less than $42,000 to enable the engineer in charge to make next autumn the explosion required for the removal of Flood Rock, in the East River, New York. The importance of the work is well known, and as it appears that without a speedy appropriation a delay of a year must follow, accompanied by large expenses to protect from injury the work already done, I commend the subject to the early and favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 30, 1884.

To the Senate of the United States:

In further response to the resolution of the Senate of the 8th instant, calling for the correspondence on file upon the subject of discriminating duties upon commerce between the United States and Cuba and Puerto Rico, I transmit certain papers additional to the papers which accompanied the report sent to you on the 15th instant.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 31, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 29th instant from the Secretary of the Interior, submitting, with accompanying papers, a report of the Commissioner of Indian Affairs upon the subject of the right of way of the Chicago, Milwaukee and St. Paul Railway Company through the Lake Traverse Indian Reservation, in Dakota.

The subject is commended to the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 31, 1884.*

To the House of Representatives of the United States:

I transmit herewith, in response to the resolutions of the House of Representatives, the following report of the Secretary of State, with accompanying papers, relative to the restrictions upon the importation of American hog products into Germany and France.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 6, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication, under date of the 2d instant, from the Secretary of the Interior, transmitting the last annual report of the Government directors of the Union Pacific Railway Company.

The report accompanying the Secretary's communication has been sent to the House of Representatives.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 7, 1884.

To the House of Representatives:

I transmit herewith a report of the Secretary of State, in response to the resolution of the House of Representatives of the 16th ultimo, respecting the arrest and imprisonment of John E. Wheelock in Venezuela in 1879.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 7, 1884.

To the House of Representatives:

I transmit herewith, in response to a resolution of the House of Representatives of the 15th instant [ultimo], a report of the Secretary of State, with accompanying papers, in relation to the reported arrest at Lodz, in Russian Poland, of Reinhardt Wagner, a citizen of the United States.

CHESTER A. ARTHUR.

WASHINGTON, *February 7, 1884.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to its ratification, an agreement concerning trade-marks between the United States and Italy, signed June 1, 1882, provided the terms thereof commend themselves to the Senate.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 11, 1884.*

To the Senate and House of Representatives:

I transmit a communication, under date of the 8th instant, addressed to me by the Secretary of the Navy, covering a report of Professor Simon Newcomb, United States Navy, on the subject of recent improvements in astronomical observatories, instruments, and methods of observations, as noted during his visit to the principal observatories of Europe in the year 1883, made in pursuance of orders of the Navy Department.

The request of the Secretary is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 12, 1884.

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate in connection with the commercial convention of January 20, 1883, between the United States and Mexico, now pending before the Senate, a protocol of an agreement, signed on the 11th instant by the Secretary of State and the representative of Mexico at this capital, explaining and correcting an error of translation found in the Spanish text of said convention.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 13, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 8th ultimo from the Secretary of the Interior, and the accompanying papers, relating to the establishment of the boundary line between the United States and the State of Texas.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 13, 1884.*

To the Senate of the United States:

In compliance with the resolution of the Senate of February 6, 1884, directing "that the President be requested, if in his judgment not incompatible with the public interests, to communicate to the Senate the record of the proceedings, testimony, and findings of the court of inquiry in relation to the events connected with the loss of the steamer *Proteus* in the Arctic Ocean," I have the honor to transmit herewith a copy of the record, etc., called for in said resolution, together with the letter of the Secretary of War, dated the 12th instant, submitting the same to me.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 13, 1884.

To the Senate of the United States:

In reply to the resolution of the Senate of the 11th instant, I have the honor to inclose a communication* from the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 18, 1884.*

To the Senate and House of Representatives:

I transmit herewith the report of a board of Army and Navy officers appointed by me in accordance with the act of Congress approved March 3, 1883, "for the purpose of examining and reporting to Congress which of the navy-yards or arsenals owned by the Government has the best location and is best adapted for the establishment of a Government foundry, or what other method, if any, should be adopted for the manufacture of heavy ordnance adapted to modern warfare, for the use of the Army and Navy of the United States, the cost of all buildings, tools, and implements necessary to be used in the manufacture thereof, including the cost of a steam hammer or apparatus of sufficient size for the manufacture of the heaviest guns."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 21, 1884.*

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State of the 21st instant, whereby your honorable body, and through you the people of the United States, may become apprised of the generous contribution made by Her Britannic Majesty's Government toward the efforts for the relief of Lieutenant Greely's arctic exploring party by presenting to the United States the arctic steamship *Alert.*

CHESTER A. ARTHUR.

DEPARTMENT OF STATE,
Washington, February 21, 1884.

The PRESIDENT:

In the search for vessels suitable for the expedition now preparing to relieve Lieutenant Greely and his party, attention was early directed to the *Alert*, which is the property of the British Government, and was the advance ship of the expedition under Sir George Nares. It was desirable to secure this vessel, as she is peculiarly fitted for the intended service, and as the inspecting officers recommended her Mr. Lowell was therefore instructed to ask whether she could be spared for the service.

Information of the wish of this Government having previously and informally reached the British admiralty, a private intimation was conveyed to the United States minister to the effect that the British Government had not forgotten the very considerate conduct of this Government on the occasion of the recovery of the *Resolute*, and that should any suggestion be made that the vessel would be of use to the expedition she would be presented. The *Resolute*, a vessel, as the President remembers, formerly belonging to Her Majesty's navy, having been abandoned in the arctic region, was discovered and brought to the United States by American seamen, and thereupon was purchased by this Government of her sailors, repaired, and returned to Great Britain. On her arrival in England the vessel was received by the Queen in person, and the officers of the United States Navy who took the ship thither were treated with every official and personal courtesy.

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*Relating to the demand of Mexico for the extradition of Alexander Trimble.

The Government of Her Majesty has now given the *Alert* to the United States unconditionally, with her anchors, chains, and such of her equipment as can be utilized.

Recognizing this graceful and opportune act of courtesy on the part of Her Majesty's Government, the undersigned to-day instructed Mr. Lowell as follows, by telegraph:

"Her Majesty's Government having presented to the Government of the United States the ship *Alert* to aid in the relief of Lieutenant Greely and his party, you will inform the secretary of state for foreign affairs that the spirit which prompts this act of generosity, and this evidence of sympathy with the object in view, receives the highest appreciation of the President, as it will that of the people of the United States. The President sends his cordial thanks for the opportune gift of this vessel, which he accepts in the name of the United States, and which will be used in the humane enterprise for which it is so peculiarly adapted."

Respectfully submitted.

FREDK. T. FRELINGHUYSEN.

EXECUTIVE MANSION, *February 21, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 19th instant, submitting a letter from the Chief Signal Officer of the Army, dated the 2d instant, and its accompanying plan of a proposed meteorological observatory at Fort Myer, Va., together with an estimate of the cost of the same in the sum of $4,000 and a statement giving various reasons why the said observatory should be established.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 25, 1884.*

To the House of Representatives:

In answer to so much of the resolution of the House of Representatives of the 17th ultimo as calls for the correspondence with the Mexican Government respecting the payment of claims specified in the fifth section of the act of Congress approved June 17, 1878, I transmit herewith the report of the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 29, 1884.*

To the Senate and House of Representatives:

In compliance with the act of Congress approved January 16, 1883, entitled "An act to regulate and improve the civil service of the United

States," the Civil Service Commission has made to the President its first annual report.

That report is herewith transmitted, together with communications from the heads of the several Executive Departments of the Government respecting the practical workings of the law under which the Commission has been acting.

Upon the good results which that law has already accomplished I congratulate Congress and the people, and I avow my conviction that it will henceforth prove to be of still more signal benefit to the public service.

I heartily commend the zeal and fidelity of the Commissioners and their suggestion for further legislation, and I advise the making of such an appropriation as shall be adequate for their needs.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 29, 1884.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a report of the Secretary of State, accompanying a report made by the commission lately designated by me to examine and report upon the asserted unhealthfulness of the swine products of this country. The views and conclusions of the commission deserve the most careful consideration of Congress, to the end that if any path be legitimately open for removing the prohibition which closes important foreign markets to those products it may be followed and appropriate legislation devised.

I earnestly recommend that Congress provide for reimbursing the expenses incurred by the commissioners in this praiseworthy service, and I should be glad also if some remunerative recognition of their public-spirited action in accepting the onerous and responsible duties imposed on them were to suggest itself to Congress. At all events, in view of the conflicting theories touching the origin and propagation of trichiniasis and the means of isolating and extirpating it among domestic swine, and considering the important bearing which precise knowledge on these points would have on the commercial aspects of the matter, I recommend provision for special research in this direction.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 5, 1884.

To the House of Representatives:

In further response to the resolution of the House of Representatives of the 15th January last, calling for copies of correspondence on file in the Department of State in relation to the reported arrest at Lodz, in Russia, of Reinhardt Wagner, a citizen of the United States, I transmit, in addition to the papers sent you on the 7th ultimo, a copy of a dispatch subsequently received.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 6, 1884.

To the House of Representatives of the United States:

I transmit herewith to the House of Representatives a report from the Secretary of State, in response to a resolution of that body of the 5th ultimo, calling for correspondence concerning the representations made to this Government in relation to the existing tariff discrimination against the works of foreign artists.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 10, 1884.

To the House of Representatives:

I transmit herewith the following documents, received from the Secretary of State, relative to the resolution of the House of Representatives upon the death of Mr. Edward Lasker.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 11, 1884.

To the Senate of the United States:

I submit herewith, for the consideration of the Senate with a view to obtaining its advice and consent thereto, a draft of a proclamation whereby the United States accede and adhere to an international convention for the protection of industrial property, signed at Paris March 20, 1883, and in explanation of the purport of that convention and the proposed mode of effecting the adhesion of the United States thereto I subjoin a report of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 14, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War of the 12th instant, and accompanying papers, requesting an appropriation of $230,869.44 for the erection at the Presidio of San Francisco of additional buildings at headquarters Military Division of the Pacific, rendered necessary in consequence of the proposed increase of the garrison by removal of troops from points in San Francisco Harbor.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 18, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretaries of War and the Navy, concerning the expediency of offering rewards for the rescue of Lieutenant Greely and party by the independent efforts of private vessels, in addition to sending the three ships constituting the national relief expedition.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 18, 1884.

To the Senate of the United States:

In answer to the resolution of the Senate of the 15th of January last, respecting the discovery of phosphates upon the coast of Brazil by a citizen of the United States, I transmit herewith a report from the Secretary of State upon the subject, together with the accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 20, 1884.*

To the Senate and House of Representatives:

In accordance with the provisions of the act making appropriations for the diplomatic and consular service for the year ending June 30, 1883, I transmit herewith a communication from the Secretary of State in relation to the consular service.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 20, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War of the 18th instant, submitting a letter from Colonel A. F. Rockwell, United States Army, in charge of public buildings and grounds, embodying an estimate in the sum of $30,000 for a pedestal for the statue of General James A. Garfield, to be erected in the city of Washington by the Society of the Army of the Cumberland, together with a letter upon the subject from General Anson G. McCook, on behalf of the Society of the Army of the Cumberland, the object in view being the procurement of an appropriation by Congress of the amount of the accompanying estimate.

I commend the subject to the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 26, 1884.*

To the Senate and House of Representatives:

In my annual message I impressed upon Congress the necessity of continued progress in the reconstruction of the Navy. The recommendations in this direction of the Secretary of the Navy and of the Naval Advisory Board were submitted by me unaccompanied by specific expressions of approval. I now deem it my duty to advise that appropriations be made at the present session toward designing and commencing the construction of at least the three additional steel cruisers and the four gunboats thus recommended, the cost of which, including their armament, will not exceed $4,283,000, of which sum one-half should be appropriated for the next fiscal year.

The *Chicago*, *Boston*, *Atlanta*, and *Dolphin* have been designed and are being built with care and skill, and there is every reason to believe that they will prove creditable and serviceable modern cruisers. Technical questions concerning the details of these or of additional vessels can not wisely be settled except by experts, and the Naval Advisory Board, organized by direction of Congress under the act of August 5, 1882, and consisting of three line officers, a naval constructor, and a naval engineer, selected "with reference only to character, experience, knowledge, and skill," and a naval architect and a marine engineer from civil life "of established reputation and standing as experts in naval or marine construction," is an appropriate authority to decide finally all such questions. I am unwilling to see the gradual reconstruction of our naval cruisers, now happily begun in conformity with modern requirements, delayed one full year for any unsubstantial reason.

Whatever conditions Congress may see fit to impose in order to secure judicious designs and honest and economical construction will be acceptable to me, but to relinquish or postpone the policy already deliberately declared will be, in my judgment, an act of national imprudence.

Appropriations should also be made without delay for finishing the four double-turreted monitors, the *Puritan*, *Amphitrite*, *Terror*, and *Monadnock*, and for procuring their armament and that of the *Miantonomoh*. Their hulls are built, and their machinery is under contract and approaching completion, except that of the *Monadnock*, on the Pacific coast. This should also be built, and the armor and heavy guns of all should be procured at the earliest practicable moment.

The total amount appropriated up to this time for the four vessels is $3,546,941.41. A sum not exceeding $3,838,769.62, including $866,725 for four powerful rifled cannon and for the remainder of the ordnance outfit, will complete and equip them for service. Of the sum required, only two millions need be appropriated for the next fiscal year. It is not expected that one of the monitors will be a match for the heaviest broadside ironclads which certain other Governments have constructed at a cost of four or five millions each, but they will be armored vessels of an approved and useful type, presenting limited surfaces for the shot of an enemy, and possessed of such seagoing capacity and offensive power as fully to answer our immediate necessities. Their completion having been determined upon in the recent legislation of Congress, no time should be lost in accomplishing the necessary object.

The Gun Foundry Board, appointed by direction of Congress, consisting of three army and three navy officers, has submitted its report, duly transmitted on the 20th day of February, 1884, recommending that the Government should promote the production at private steel works of the required material for heavy cannon, and that two Government factories, one for the Army and one for the Navy, should be established for the fabrication of guns from such material. An early consideration of the report is recommended, together with such action as will enable the Government to construct its ordnance upon its own territory and so to provide the armaments demanded by considerations which concern the national safety and honor.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 1, 1884*.

To the House of Representatives:

In response to a resolution of the House of Representatives of January 15, 1884, requesting the President to forward to the House information, including reports from consuls and others, concerning the undervaluation, false classification, and other irregular practices in the importation of foreign merchandise, and to recommend what legislation, if any, is needed to prevent such frauds on the revenue, I have the honor to transmit herewith a letter of the Secretary of the Treasury of the 28th ultimo, inclosing a draft of a bill on the subject, together with copies of reports taken from the files of the Treasury Department concerning the information desired.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 1, 1884.

To the House of Representatives:

I transmit herewith a report of the Secretary of State and accompanying papers, furnished in response to a resolution of the House of Representatives of January 16, 1884, calling for information as to the payments made by Spain in accordance with the terms of its treaty with the United States concluded February 17, 1834.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 2, 1884*.

To the Senate and House of Representatives:

I transmit to Congress a communication from the Secretary of War, embodying the views of the president of the Mississippi River Commission upon a report from Major Stickney, of the Engineer Corps, in relation to the protection of existing levees from destruction by the floods in the lower part of the Mississippi River. It appears that there is an urgent need of an appropriation of $100,000 to be used for this purpose, and that an enormous destruction of property may be thereby averted. I recommend an immediate appropriation of the sum required for the purpose, to be expended under the direction of the Mississippi River Commission.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 2, 1884.*

To the House of Representatives:

In response to the resolution of the House of Representatives of 5th of February last, respecting the arrest and imprisonment of certain American citizens by the authorities of Colombia, at Aspinwall, I transmit a report of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 11, 1884.*

To the Senate and House of Representatives:

The condition of our seacoast defenses and their armament has been brought to the attention of Congress in my annual messages, and I now submit a special estimate of the Chief of Ordnance, United States Army, transmitted by the Secretary of War, for a permanent annual appropriation of $1,500,000 to provide the necessary armament for our fortifications.

This estimate is founded upon the report of the Gun Foundry Board recently transmitted, to which I have heretofore invited the early attention of Congress.

In presenting this estimate I do not think it necessary to enumerate the considerations which make it of the highest importance that there should be no unnecessary delay in entering upon the work, which must be commensurate with the public interests to be guarded, and which will take much time.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 14, 1884.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War of the 5th instant, submitting copies of certain papers, consisting of a letter, dated February 16 last, from Mr. Haughwout Howe, of New York City, presenting a proposition for the sale to the Government for the sum of $5,500 of certain hospital and other records pertaining to an association founded in New York City in April, 1862, for the purpose of extending relief to soldiers of the late war; a report of an examination made of these records by a representative of the War Department, and a report of the Adjutant-General stating that the records would prove of great value to the Department in the settlement of claims of deserving soldiers, as well as in detecting fraudulent claims, as the books, etc., contain information not now of record in the War Department.

The Secretary of War, it will be observed, recommends that an appropriation be made by Congress of the necessary sum for the purchase of the records referred to.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 14, 1884.

To the Senate of the United States of America:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention concluded between the United States of America and France and the twenty-four other powers named in said convention for the protection of submarine cables, concluded at Paris on the 14th day of March, A. D. 1884. I also inclose, for the information of the Senate, a copy of Mr. Morton's dispatch No. 518, of the 18th ultimo, in relation to the subject.

CHESTER A. ARTHUR.

WASHINGTON, *April 14, 1884.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention concerning trade-marks and trade-labels between the United States and Belgium, signed on the 7th instant.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 18, 1884.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State of the 16th instant, relative to the approaching visit of a special embassy from Siam to the United States, and recommend that the appropriation asked by the Secretary of State to suitably defray the expenses of such embassy while in this country be made.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 18, 1884.

To the House of Representatives:

I transmit herewith a copy of a report of the Secretary of State of the 16th instant, in relation to the final award made by the late French and

American Claims Commission against the United States for the sum of $625,566.35, for the payment of the claims of French citizens against this Government. I recommend that an appropriation of the above sum be made to enable the Government to fulfill its obligations under the treaty of January 15, 1880, between this country and France.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 18, 1884.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, dated the 16th instant, respecting the approaching international conference at Washington, D. C., for the purpose of fixing upon a meridian proper to be employed as a common zero of longitude and standard of time reckoning throughout the globe, and recommend that the sum of $10,000 be appropriated to enable the Secretary of State to meet the expenses of the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 18, 1884.

To the Senate of the United States:

In response to the resolution of the Senate of the 5th of December last, respecting the execution by the United States of the ninth article of the treaty of 1819 with Spain, I transmit herewith a report of the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 22, 1884.

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, in response to a resolution of the Senate of February 29, 1884, requesting information concerning the respective average production, consumption, exportation, and importation of wheat, rye, corn, and cotton in foreign countries, together with statistics showing the production and surplus or deficiency in the crops of the past two years in each of such countries, an estimate of the probable requirements of such products from the United States to meet the wants of these countries before the crops of the coming crop year are ready for market, and other available information concerning the questions to which the resolution refers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 24, 1884.

To the House of Representatives:

I transmit herewith, in answer to a resolution of the House of Representatives of the 21st instant, a report of the Secretary of State, with the accompanying papers, in relation to the threatened confiscation of the American college at Rome by the Italian Government.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, April 28, 1884.

To the House of Representatives:

I transmit herewith a report of the Secretary of State, in relation to the bill for the support of the diplomatic and consular services.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 3, 1884.

To the House of Representatives:

I transmit herewith, for your consideration, a communication from the Secretary of State, recommending the appropriation of the sum of $22,500, or so much thereof as may be necessary, to meet the proper obligations of the Government on account of the courteous services of the various umpires of the late American-Spanish Commission.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 6, 1884.

To the Senate of the United States:

In answer to the resolution of the Senate of March 12, 1884, requesting to be furnished with a copy of correspondence between this Government and that of China respecting the Ward claims and the claim of Charles E. Hill, I herewith submit a letter of the Secretary of State, together with its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 6, 1884.

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of the Interior, submitting a copy of the report of the Utah Commission.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 6, 1884.

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a copy of the preliminary report of the board of management of the World's Industrial and Cotton Centennial Exposition, showing their operations and containing observations upon other matters concerning the project deemed of importance.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 6, 1884.*

To the House of Representatives:

In answer to that part of the resolution of the House of Representatives of the 17th of January last respecting the question of boundaries between the Republics of Mexico and Guatemala, I transmit herewith the report of the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 12, 1884.

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of the 6th of February last, a communication from the Secretary of State, respecting the extradition of criminals under the treaty of 1842 with Great Britain.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 12, 1884.

To the House of Representatives:

I transmit herewith a communication from the Secretary of State, transmitting a draft of a resolution providing for the presentation of a testimonial to Mr. E. L. Oxenham, British consul at Chin-Kiang, in acknowledgment of services rendered the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 14, 1884.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State of the 14th instant, with accompanying papers, relative to the necessity of an appropriation by Congress to enable this Government to execute the provisions of the convention between the United States and Mexico of

July 29, 1882, for the relocation of the monuments marking the boundary line between the two countries, and recommend that the amount asked, $224,556.75, be immediately provided.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 15, 1884.

To the Senate:

I transmit herewith to the Senate, for consideration with a view to advising and consenting thereto, an agreement, signed May 14, 1884, between the Secretary of State and the minister plenipotentiary of Siam, for the regulation of the liquor traffic in Siam when citizens of the United States engage in the importation or sale of liquors there.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 19, 1884.*

To the House of Representatives:

I transmit herewith, for such action as is deemed proper, a communication from the Secretary of State, recommending an additional appropriation of $6,000 for the construction of a wharf and roadway as a means of approach to the monument to be erected at Wakefield, Westmoreland County, Va., to mark the birthplace of George Washington.

I commend the matter to your favorable attention.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 19, 1884.*

To the House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying copies of correspondence, in further response to the resolution of the House of Representatives of January 16, 1884, respecting the arrest and imprisonment of John E. Wheelock in Venezuela in 1879.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 29, 1884.*

To the House of Representatives:

I transmit herewith, for such action as is deemed proper, a communication from the Secretary of State, accompanied by several inclosures, in which he recommends an appropriation for rewarding the services of the Osette Indians in rescuing and caring for the crew of the American steamer *Umatilla*, which vessel was wrecked in February last near the coast of Vancouvers Island.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 29, 1884.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of March 10 last, a report from the Secretary of State, with accompanying papers, in regard to the claim of Edward H. Ladd against the Government of Colombia.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 9, 1884.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter and its accompanying estimate, submitted by the board charged with preparing a departmental exhibit for the World's Industrial and Cotton Centennial Exposition to be held at New Orleans, beginning December 1, 1884. This board was appointed by Executive order of May 13, 1884,* and is composed of representatives of the several Executive Departments, the Department of Agriculture, and the Smithsonian Institution. It is charged with the important and responsible duty of making arrangements for a complete and harmonious collection of the articles and materials deemed desirable to place on exhibition, in illustration of the resources of the country, its methods of governmental administration, and its means of offense and defense.

The board submits an estimate calling for an appropriation of $588,000 to accomplish the desired end. That amount is distributed among the Departments as shown in the table. The War, Navy, and Interior Departments call for the largest share, representing as they do the national defenses by land and sea, the progress of naval architecture and ordnance, the geological survey and mineral wealth of the Territories, the treatment of the Indians, and the education of the masses, all of which admit of varied and instructive exhibits. The Smithsonian Institution, having under its general care the National Museum and the Fish Commission, is prepared to make a display second in interest to none of modern days. The remaining Departments can present instructive and interesting exhibits, which will attract popular attention and convey an idea of their extensively ramified duties and of the many points where they beneficially affect the life of the people as a nation and as individuals.

The exhibit of the Government at the Centennial Exhibition held at Philadelphia in 1876 was admitted to be one of the most attractive features of that great national undertaking and a valuable addition to it. From men of intelligence and scientific attainments, at home and abroad, it received the highest encomiums, showing the interest it awakened among those whose lives are given to the improvement of the social and material condition of the people.

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*See pp. 4817-4818.

The reproduction of such a display now on a more extensive plan is rendered possible by the advancement of science and invention during the eight years that have passed since the Philadelphia exhibit was collected.

The importance, purposes, and benefits of the New Orleans Exhibition are continental in their scope. Standing at the threshold of the almost unopened markets of Spanish and Portuguese America, New Orleans is a natural gateway to their trade, and the exhibition offers to the people of Mexico and Central and South America an adequate knowledge of our farming implements, metal manufactures, cotton and woolen goods, and the like necessities of existence, in respect to which those countries are either deficient or supplied to a limited extent. The breaking down of the barriers which still separate us from the Republics of America whose productions so entirely complement our own will aid greatly in removing the disparity of commercial intercourse under which less than 10 per cent of our exports go to American countries.

I trust that Congress will realize the urgency of this recommendation and make its appropriation immediately available, so that the board may lose no time in undertaking the extensive preparations necessary to spread a more intimate knowledge of our Government institutions and national resources among the people of our country and of neighboring states in a way to command the respect due it in the family of nations.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 9, 1884.

To the Senate of the United States:

I transmit herewith, for consideration by the Senate and appropriate action thereon, a report of the Secretary of State, communicating the proposal of the King of Hawaii that the duration of the existing reciprocity treaty with the United States be extended for a further definite period of seven years.

The treaty having been heretofore under consideration by your honorable body, I deem it fitting to consult the Senate in the matter before directing the negotiations to proceed.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 11, 1884.

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 10th instant, I return House bill No. 2344, entitled "An act for the relief of Melissa G. Polar."

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 11, 1884.

To the House of Representatives:

I transmit herewith to the House of Representatives, in response to a resolution of that body of the 21st of April last, a copy of the material correspondence on file in the Department of State relative to the claim of W. J. Hale against the Argentine Republic, and a list of the papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 12, 1884.

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate dated May 2, 1884, the following report of the Secretary of State, with an accompanying paper, relative to the latest law of the Mexican Republic creating or modifying the *zona libre* in relation to importations of merchandise.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 13, 1884.

To the Senate:

I transmit to the Senate, for its consideration with a view to ratification, a convention signed on the 11th instant, supplementary to the extradition convention concluded between the United States and Italy on the 23d of March, 1868.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 19, 1884.

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of the 31st of March last, a communication from the Secretary of State, with accompanying papers, concerning the rent of consular premises in China.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 21, 1884.*

To the Senate and House of Representatives:

I have permitted House bill No. 4689, entitled "An act for the relief of Eliza W. Patterson," to become a law by withholding action upon it for ten days after it was presented to me.

The affairs and interests of the District of Columbia are committed to Congress as its legislature. I do not question the constitutional right of Congress to pass a law relieving the family of an officer, in view of the services he had rendered his country, from the burdens of taxation, but I submit to Congress that this just gift of the nation to the family of such faithful officer should come from the National Treasury, rather than from that of this District, and I therefore recommend that an appropriation be made to reimburse the District for the amount of taxes which would have been due to it had this act not become a law.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 24, 1884.

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 7th instant, making an inquiry regarding the expenditure of moneys appropriated by Congress to meet the expenses of the French and American Claims Commission, I transmit herewith a report of the Secretary of State upon the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *June 28, 1884.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, calling attention to certain omissions, etc., in the act (H. R. 1340) entitled "An act to establish a Bureau of Labor Statistics," and invite the attention of the Congress to the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, June 30, 1884.

To the House of Representatives:

I transmit herewith, in compliance with resolutions of the House of Representatives respectively dated March 22 and April 19, 1884, a report from the Secretary of State, communicating information in regard to moneys received from Venezuela under the treaty of April 25, 1866, and their distribution to holders of awards by the Department of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, July 3, 1884.

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 11th of February last, a report of the Secretary of State, relative to the papers on file in the Department of State touching the unsettled claims of citizens of the United States against France for spoliations prior to July 31, 1801.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 7, 1884.*

To the House of Representatives:

In compliance with the concurrent resolution of the Senate and House of Representatives of the 5th instant, I return herewith House bill 6770, entitled "An act making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885, and for other purposes."

CHESTER A. ARTHUR.

VETO MESSAGE.

EXECUTIVE MANSION, *July 2, 1884.*

To the House of Representatives:

After careful consideration of the bill entitled "An act for the relief of Fitz John Porter," I herewith return it with my objections to that House of Congress in which it originated. Its enacting clause is in terms following:

> That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Fitz John Porter, late a major-general of the United States Volunteers and a brevet brigadier-general and colonel of the Army, to the position of colonel in the Army of the United States, of the same grade and rank held by him at the time of his dismissal from the Army by sentence of court-martial promulgated January 27, 1863. * * *

It is apparent that should this bill become a law it will create a new office which can be filled by the appointment of the particular individual whom it specifies, and can not be filled otherwise; or it may be said with perhaps greater precision of statement that it will create a new office upon condition that the particular person designated shall be chosen to fill it. Such an act, as it seems to me, is either unnecessary and ineffective or it involves an encroachment by the legislative branch of the Government upon the authority of the Executive. As the Congress has no power under the Constitution to nominate or appoint an officer and can not lawfully impose upon the President the duty of nominating or appointing to office any particular individual of its own selection, this bill, if it can fairly be construed as requiring the President to make the nomination and, by and with the advice and consent of the Senate, the appointment which it authorizes, is in manifest violation of the Constitution. If such be not its just interpretation, it must be regarded as a mere enactment of advice and counsel, which lacks in the very nature of things the force of positive law and can serve no useful purpose upon the statute books.

There are other causes that deter me from giving this bill the sanction of my approval. The judgment of the court-martial by which more than twenty years since General Fitz John Porter was tried and convicted was pronounced by a tribunal composed of nine general officers of distinguished character and ability. Its investigation of the charges of which it found the accused guilty was thorough and conscientious, and its findings and sentence were in due course of law approved by Abraham

Lincoln, then President of the United States. Its legal competency, its jurisdiction of the accused and of the subject of the accusation, and the substantial regularity of all of its proceedings are matters which have never been brought into question. Its judgment, therefore, is final and conclusive in its character.

The Supreme Court of the United States has recently declared that a court-martial such as this was is the organism provided by law and clothed with the duty of administering justice in this class of cases. Its judgments, when approved, rest on the same basis and are surrounded by the same considerations which give conclusiveness to the judgments of other legal tribunals, including as well the lowest as the highest. It follows, accordingly, that when a lawfully constituted court-martial has duly declared its findings and its sentence and the same have been duly approved neither the President nor the Congress has any power to set them aside. The existence of such power is not openly asserted, nor perhaps is it necessarily implied, in the provisions of the bill which is before me, but when its enacting clauses are read in the light of the recitations of its preamble it will be seen that it seeks in effect the practical annulment of the findings and the sentence of a competent court-martial.

A conclusion at variance with these findings has been reached after investigation by a board consisting of three officers of the Army. This board was not created in pursuance of any statutory authority and was powerless to compel the attendance of witnesses or to pronounce a judgment which could have been lawfully enforced. The officers who constituted it, in their report to the Secretary of War, dated March 19, 1879, state that in their opinion—

> Justice requires * * * such action as may be necessary to annul and set aside the findings and sentence of the court-martial in the case of Major-General Fitz John Porter and to restore him to the positions of which that sentence deprived him, such restoration to take effect from the date of his dismissal from the service.

The provisions of the bill now under consideration are avowedly based on the assumption that the findings of the court-martial have been discovered to be erroneous; but it will be borne in mind that the investigation which is claimed to have resulted in this discovery was made many years after the events to which that evidence related and under circumstances that made it impossible to reproduce the evidence on which they were based.

It seems to me that the proposed legislation would establish a dangerous precedent, calculated to imperil in no small measure the binding force and effect of the judgments of the various tribunals established under our Constitution and laws.

I have already, in the exercise of the pardoning power with which the President is vested by the Constitution, remitted the continuing penalty which had made it impossible for Fitz John Porter to hold any office of trust or profit under the Government of the United States; but I am unwilling to give my sanction to any legislation which shall practically annul and set at naught the solemn and deliberate conclusions of the tribunal by which he was convicted and of the President by whom its findings were examined and approved.

CHESTER A. ARTHUR.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas both Houses of Congress did on the 20th instant request the commemoration, on the 23d instant, of the one hundredth anniversary of the surrender by George Washington, at Annapolis, of his commission as Commander in Chief of the patriot forces of America; and

Whereas it is fitting that this memorable act, which not only signalized the termination of the heroic struggle of seven years for independence, but also manifested Washington's devotion to the great principle that ours is a civic government of and by the people, should be generally observed throughout the United States:

Now, therefore, I, Chester A. Arthur, President of the United States, do hereby recommend that either by appropriate exercises in connection with the religious services of the 23d instant or by such public observances as may be deemed proper on Monday, the 24th instant, this signal event in the history of American liberty be commemorated; and further, I hereby direct that at 12 o'clock noon on Monday next the national salute be fired from all the forts throughout the country.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done this 21st day of December, A. D. 1883, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR

By the President:
FREDK. T. FRELINGHUYSEN,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a memorandum of an agreement executed at Madrid on the 13th day of February, A. D. 1884, by and between the duly authorized agents and representatives of the Government of the United States of America and of the Government of His Majesty the King of Spain, satisfactory evidence has been given to me that the Government of that country has abolished the discriminating customs duty heretofore imposed upon the products of and articles proceeding from the United States of America imported into the islands of Cuba and Puerto Rico, said abolition to take effect on and after the 1st day of March next:

Now, therefore, I, Chester A. Arthur, President of the United States of America, by virtue of the authority vested in me by section 4228 of the Revised Statutes, do hereby declare and proclaim that on and after the said 1st day of March next, so long as the products of and articles proceeding from the United States imported into the islands of Cuba and Puerto Rico shall be exempt from discriminating customs duties, any such duties on the products of and articles proceeding from Cuba and Puerto Rico under the Spanish flag shall be suspended and discontinued.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 14th day of February, A. D. 1884, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is alleged that certain persons have within the territory and jurisdiction of the United States begun and set on foot preparations for an organized and forcible possession of and settlement upon the lands of what is known as the Oklahoma lands, in the Indian Territory, which Territory is designated, recognized, and described by the treaties and laws of the United States and by the executive authorities as Indian country, and as such is subject to occupation by Indian tribes only; and

Whereas the laws of the United States provide for the removal of all persons residing or being found in said Indian Territory without express permission of the Interior Department:

Now, therefore, for the purpose of properly protecting the interests of the Indian nations and tribes in said Territory, and that settlers may not be induced to go into a country, at great expense to themselves, where they can not be allowed to remain, I, Chester A. Arthur, President of the United States, do admonish and warn all such persons so intending or preparing to remove upon said lands or into said Territory against any attempt to so remove or settle upon any of the lands of said Territory; and I do further warn and notify any and all such persons who do so offend that they will be speedily and immediately removed therefrom by the proper officers of the Interior Department, and, if necessary, the aid and assistance of the military forces of the United States will be invoked to remove all such intruders from the said Indian Territory.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of July, A. D. 1884, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

While quarantine regulations are committed to the several States, the General Government has reposed certain powers in the President, to be used at his discretion in preventing a threatened epidemic.

Feeling it my duty, I hereby call upon all persons who under existing systems in the several States are intrusted with the execution of quarantine regulations to be diligent and on the alert in order to prevent the introduction of the pestilence which we all regret to learn has made its appearance in some of the countries of Europe between which and the ports of the United States intercourse is direct and frequent.

I further advise that the cities and towns of the United States, whether on the coast or on the lines of interior communication, by sound sanitary regulations and the promotion of cleanliness, be prepared to resist the power of the disease and to mitigate its severity.

And I further direct the consuls of the United States in the ports where the pestilence has made or may make its appearance to exercise vigilance in carrying out the instructions heretofore given and in communicating to the Government of the United States any information of value relating to the progress or treatment of the disease.

Given under my hand and the seal of the United States, at the city of Washington, this 19th day of July, A. D. 1884, and of the Independence of the United States the one hundred and ninth.

[SEAL.]

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The season is nigh when it is the yearly wont of this people to observe a day appointed for that purpose by the President as an especial occasion for thanksgiving unto God.

Now, therefore, in recognition of this hallowed custom, I, Chester A. Arthur, President of the United States, do hereby designate as such day of general thanksgiving Thursday, the 27th day of this present November.

And I do recommend that throughout the land the people, ceasing from their accustomed occupations, do then keep holiday at their several homes and their several places of worship, and with heart and voice pay reverent acknowledgment to the Giver of All Good for the countless blessings wherewith He hath visited this nation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 7th day of November, A. D. 1884, and of the Independence of the United States the one hundred and ninth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,

Secretary of State.

EXECUTIVE ORDERS.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated, as follows:

RULE XII.

1. Every regular application must be supported by proper certificates of good moral character, health, and physical and mental capacity for doing the public work, the certificates to be in such form and number as the regulations of the Commission shall provide; but no certificate will be received which is inconsistent with the tenth section of the civil-service act.

2. No one shall be entitled to be examined for admission to the classified postal service if under 16 or over 35 years of age, or to the classified customs service or to the classified departmental service if under 18 or over 45 years of age; but no one shall be examined for appointment to any place in the classified customs service, except that of clerk or messenger, who is under 21 years of age; but these limitations of age shall not apply to persons honorably discharged from the military or naval service of the country who are otherwise duly qualified.

Approved, December 5, 1883.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 17, 1883.*

The following-named officers of the Army and Navy will constitute a board to consider an expedition to be sent for the relief of Lieutenant Greely and his party, composing what is known as the "Lady Franklin Bay Expedition," and to recommend to the Secretaries of War and the

Navy, jointly, the steps the board may consider necessary to be taken for the equipment and transportation of the relief expedition, and to suggest such plan for its control and conduct and for the organization of its personnel as may seem to them best adapted to accomplish its purpose:

Brigadier-General William B. Hazen, Chief Signal Officer, United States Army; Captain James A. Greer, United States Navy; Lieutenant-Commander B. H. McCalla, United States Navy; Captain George W. Davis, Fourteenth Infantry, United States Army.

The board will meet in Washington, D. C., on the 20th instant.

CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule and the amendment to Rule XVI for the regulation and improvement of the executive civil service are hereby promulgated:

RULE XXI.

1. No person shall be promoted, without examination under these rules, from any position for which an examination is not required to any position for which an examination is required under the rules; nor shall any person who has passed only a limited examination under clause 4 of Rule VII for the lower classes or grades in the departmental or customs service be promoted within two years after appointment to any position giving a salary of $1,000 or upward without first passing an examination under clause 1 of said rule, and such examination shall not be allowed within the first year after appointment.

2. But a person who has passed the examination under said clause 1 and has accepted a position giving a salary of $900 or less shall have the same right of promotion as if originally appointed to a position giving a salary of $1,000 or more.

3. The Commission may at any time certify for a $900 or any lower place in the classified service any person upon the register who has passed the examination under clause 1 of Rule VII if such person does not object before such certification is made.

II. The following words are added as a fifth clause at the end of Rule XVI, viz:

5. Any person appointed to or employed in any part of the classified service, after due certification for the same under these rules, who shall be dismissed or separated therefrom without fault or delinquency on his part may be reappointed or reemployed in the same part or grade of such service at the same office, within eight months next following such dismissal or separation, without further examination.

III. It is further ordered that the rule heretofore designated XXI be hereafter designated XXII, and XXII as Rule XXIII.

Approved, January 18, 1884. CHESTER A. ARTHUR

EXECUTIVE MANSION, *February 8, 1884.*

General William T. Sherman, General of the Army, having this day reached the age of 64 years, is, in accordance with law, placed upon the retired list of the Army without reduction in his current pay and allowances.

The announcement of the severance from the command of the Army of one who has been for so many years its distinguished chief can but awaken in the minds, not only of the Army, but of the people of the United States, mingled emotions of regret and gratitude—regret at the withdrawal from active military service of an officer whose lofty sense of duty has been a model for all soldiers since he first entered the Army in July, 1840, and gratitude, freshly awakened, for the services, of incalculable value, rendered by him in the war for the Union, which his great military genius and daring did so much to end.

The President deems this a fitting occasion to give expression in this manner to the gratitude felt toward General Sherman by his fellow-citizens, and to the hope that Providence may grant him many years of health and happiness in the relief from the active duties of his profession.

CHESTER A. ARTHUR.

DEPARTMENT OF JUSTICE,
Washington, March 12, 1884.

To the District Attorneys and Marshals of the United States:

By direction of the President, I have to inform you it is reported that certain persons are aiding in the prosecution of heinous crimes by shipping to foreign ports explosives dangerous in the highest degree to life and property. No proof has been adduced that this rumor is founded upon fact, and the President can not believe its truth. The honor of this nation, however, requires that it should not be open to the imputation, unfounded though it be, of the slightest appearance of tolerating such crimes, whether to be committed against our people or those of other countries.

Your attention is therefore called to sections 5353, 5354, 5355, 4278, and 4279 of the Revised Statutes of the United States, which regulate the shipment of explosives and the punishment of those who infringe their provisions; and you are instructed to be diligent in your efforts to prevent the offenses described and to detect and prosecute those who have or may commit them.

Very respectfully,

BENJAMIN HARRIS BREWSTER,
Attorney-General.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

Whereas it has been brought to the notice of the President of the United States that in the World's Industrial and Cotton Centennial Exhibition of Arts, Manufactures, and Products of the Soil and Mines, to be held in the city of New Orleans, commencing December 1, 1884, for the purpose of celebrating the one hundredth anniversary of the production, manufacture, and commerce of cotton, it is desirable that from the Executive Departments of the Government of the United States in which there may be articles suitable for the purpose intended there should appear such articles and materials as will, when presented in a collective exhibition, illustrate the functions and administrative faculties of the Government in time of peace and its resources as a war power, and thereby serve to demonstrate the nature of our institutions and their adaptation to the wants of the people:

Now, for the purpose of securing a complete and harmonious arrangement of the articles and materials designed to be exhibited from the Executive Departments of the Government, it is ordered that a board, to be composed of one person to be named by the head of each of the Executive Departments which may have articles and materials to be exhibited, and also of one person to be named in behalf of the Smithsonian Institution, and one to be named in behalf of the Department of Agriculture, and one to be named in behalf of the Bureau of Education, be charged with the preparation, arrangement, and safe-keeping of such articles and materials as the heads of the several Departments and the Commissioner of Agriculture, the Director of the Smithsonian Institution, and the Commissioner of Education may respectively decide shall be embraced in the collection; that one of the persons thus named, to be designated by the President, shall be chairman of such board, and that the board appoint from their number such other officers as they may think necessary; and that the said board, when organized, shall be authorized, under the direction of the President, to confer with the executive officers of the World's Industrial Cotton Centennial Exhibition in relation to such matters connected with the subject as may pertain to the respective Departments having articles and materials on exhibition, and that the names of the persons thus selected by the heads of the several Departments, the Commissioner of Agriculture, the Director of the Smithsonian Institution, and the Commissioner of Education shall be submitted to the President for designation.

Done at the city of Washington, this 9th day of April, 1884, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,
Secretary of State.

In the exercise of the power vested in the President by the Constitution and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are amended as stated below, and are hereby promulgated:

1. Rule XI is amended by adding thereto a second clause, as follows:

2. The Commission may by regulations, subject to change at any time by the President, declare the kind and measure of ill health, physical incapacity, misrepresentation, and bad faith which may properly exclude any person from the right of examination, grading, or certification under these rules. It may also provide for medical certificates of physical capacity in the proper cases, and for the appropriate certification of persons so defective in sight, speech, hearing, or otherwise as to be apparently disqualified for some of the duties of the part of the service which they seek to enter.

2. The second clause of Rule XII is amended by substituting for the first line and the second line thereof down to the word "age" therein (as printed in the annual report of the Commission) the following words:

No one shall be entitled to be examined for admission to the classified postal service if under 16 or over 35 years of age, excepting messengers, stampers, and other junior assistants, who must not be under 14 years of age.

3. Rule XXI, as printed in said report, is amended by substituting for the first two lines and the third line down to the word "rules" therein the following words:

No person, unless excepted under Rule XIX, shall be admitted into the classified civil service from any place not within said service without an examination and certification under the rules.

Approved, April 23, 1884.

CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is amended as stated below, and is hereby promulgated:

Rule XI is amended by striking out the last sentence of said rule as printed in the annual report of the Commission and inserting in place thereof the following, namely:

No person under enlistment in the Army or Navy of the United States shall be examined under these rules except for some place in the Department under which he is enlisted requiring special qualifications, and with the consent in writing of the head of such Department.

Approved, April 23, 1884.

CHESTER A. ARTHUR.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

In conformity with the Executive order directing the organization of a board, to be composed of one person to be named by the head of each of the Executive Departments which may have articles and materials to be exhibited at the World's Industrial and Cotton Centennial Exhibition, I hereby direct the persons who have been so designated, viz, Major and Brevet Lieutenant-Colonel Stephen C. Lyford, United States Army, of the War Department, president of the board; Charles S. Hill, of the Department of State; Lieutenant B. H. Buckingham, United States Navy, of the Navy Department; William F. McLennan, of the Treasury Department; Abraham D. Hazen, Assistant Postmaster-General; Benjamin Butterworth, of the Interior Department; Cecil Clay, of the Department of Justice; William Saunders, of the Agricultural Department; G. Brown Goode, of the Smithsonian Institution; Lyndon A. Smith, of the Bureau of Education, Interior Department, to assemble at the Department of State, in the city of Washington, at noon on the 17th day of May, 1884, and then and there to organize said board; and said board when so organized shall immediately proceed to the discharge of its duties.

I also designate W. A. De Caindry as the secretary of said board.

Done at the city of Washington, this 13th day of May, 1884, and of the Independence of the United States the one hundred and eighth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,
Secretary of State.

EXECUTIVE MANSION,
Washington, May 26, 1884.

Under the provisions of section 4 of the act approved March 3, 1883, it is hereby ordered that the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed on Friday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following special rule for the regulation and improvement of the executive civil service is hereby promulgated:

SPECIAL RULE.

Any person who was employed on or before the 16th day of January, 1883, in any Executive Department at Washington in a position not included in the classified service in said Department, but who was at that date exclusively engaged in the duties of a clerk or copyist, and who has since been continuously so engaged, may, in the discretion of the head of the Department, be treated as within the classified service in the Department in a grade corresponding to such duties, provided such person has either already passed an examination under the civil-service rules or shall pass an appropriate competitive or noncompetitive examination thereunder at a grade of 65 per cent or upward.

Approved, June 12, 1884.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 8, 1884.*

In order to carry out the provisions of that portion of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes," approved July 7, 1884, which contemplates the participation of the several Executive Departments, the Department of Agriculture, and the Smithsonian Institution in the World's Industrial and Cotton Centennial Exposition of 1884–85, the board heretofore appointed by Executive order to take charge of the articles and materials to be exhibited by these Departments, the Department of Agriculture, and the Smithsonian Institution is hereby continued under the following regulations and distribution of duties, viz:

The funds appropriated for such participation will be drawn from the Treasury upon the requisition of the president of the board, and will be disbursed and accounted for as are other public moneys under the existing laws and regulations relating to disbursing officers.

An officer of the Army will be detailed by the Secretary of War and an officer of the Navy will be detailed by the Secretary of the Navy to report to the president of the board for duty as disbursing officers of the board.

The representatives of the several Executive Departments, the representative of the Department of Agriculture, and the representative of the Smithsonian Institution will have charge of the matter pertaining to their respective Departments, subject to the general advisement of the board, and all bills will be paid by the disbursing officers upon vouchers certified by such representatives and countersigned by the president of the board.

The disbursing officers will render, through the president of the board, monthly accounts current of all advances and disbursements by them to the First Auditor of the Treasury for audit and settlement in the same manner as are other accounts of disbursing officers of the Government.

Each representative will be held responsible to the head of his respective Department for all public property of the United States furnished by the head of such Department or otherwise coming to his hands for the purposes of the exposition, and will render proper accounts of the same to such head of Department until the property is returned.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 10, 1884.*

The participation of the several Executive Departments, the Department of Agriculture, and the Smithsonian Institution in the Cincinnati

HAWAIIAN SCENES

HAWAII.

"During the greater part of the nineteenth century the islands formed an independent kingdom. January 17, 1893, Queen Liliuokalani was deposed and a provisional government was formed, with Sanford B. Dole at the head; and annexation to the United States asked. A treaty of annexation was concluded with President Harrison, but before it could be ratified by the Senate President Cleveland was inaugurated; he at once withdrew it and sent James H. Blount as special commissioner to investigate the affairs of the islands. The restoration of the Queen was attempted, but failed, mainly because she refused to grant an amnesty. On July 4, 1894, a Republic was proclaimed with Mr. Dole as its president. During President McKinley's first term, another treaty of annexation was sent to the Senate, but, pending its consideration, a joint resolution passed Congress annexing the islands. The resolution was approved on July 7, 1898, and the formal annexation occurred on August 12th of the same year."

Quoted from the article "Hawaii" in the Encyclopedic Index, which carries the narrative from the discovery of the island down to recent date.

Industrial Exposition at Cincinnati, Ohio, and the Southern Exposition at Louisville, Ky., as contemplated by the "act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes," is hereby placed under the management of the board referred to in Executive order of July 8, 1884, relating to the participation of said Departments and Institution in the World's Industrial and Cotton Centennial Exposition of 1884-85, the provisions of which order being hereby extended to embrace said Cincinnati and Louisville expositions.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *July 16, 1884*.

No appropriation having been specifically made for the participation of the Bureau of Education, Interior Department, in the World's Industrial and Cotton Centennial Exposition at New Orleans, La., the Industrial Exposition, Cincinnati, Ohio, or the Southern Exposition, Louisville, Ky., the representative on behalf of that Bureau in the board appointed by Executive order of May 13, 1884,* is relieved from further duty as a member of the board, and the display of that Bureau will be made as a part of the exhibit of the Interior Department out of the moneys appropriated for the participation of that Department in said expositions.

CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following special rule for the regulation and improvement of the executive civil service is hereby promulgated:

SPECIAL RULE.

The names of all persons who shall have successfully passed their examination under the civil-service rules previous to July 16, 1884, may remain on the register of persons eligible for appointment two years from the date of their respective registrations, unless sooner appointed.

Approved, July 18, 1884. CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following special rule for the regulation and improvement of the executive civil service is hereby promulgated:

SPECIAL RULE NO. 3.

Appointments to the 150 places in the Pension Office provided to be filled by the act of July 7, 1884, except so far as they may be filled by promotions, must be separately apportioned by the appointing power in as near conformity to the second section of the act of January 16, 1883, as the need of filling them promptly and the residence and qualifications of the applicants will permit.

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*See pp. 4817-4818.

Approved, July 22, 1884. CHESTER A. ARTHUR.

DEPARTMENT OF STATE,
Washington, September 5, 1884.

SIR:* With deep regret I announce to you that the Hon. Charles J. Folger, Secretary of the Treasury of the United States, yesterday died at his home in Geneva, State of New York.

Thus has closed the life of a distinguished and respected citizen, who by his services as an executive officer of the United States and as a legislator and judge of his own State won the esteem and regard of his fellow-countrymen.

The President directs that all Departments of the executive branch of the Government and the offices subordinate to them shall manifest due honor for the memory of this eminent citizen, in a manner consonant with the dignity of the office thus made vacant and with the upright character of him who held it.

To this end the President directs that the Treasury Department and its dependencies in this capital shall be draped in mourning for a period of thirty days, the several Executive Departments shall be closed on the day of the funeral of the deceased, and that on all public buildings of the Government throughout the United States the national flag shall be draped in mourning and displayed at half-mast.

I have the honor to be, sir, your obedient servant,

FREDK. T. FRELINGHUYSEN.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated:

RULE XIX.

There are excepted from examination the following: (1) The confidential clerk or secretary of any head of Department or office; (2) cashiers of collectors; (3) cashiers of postmasters; (4) superintendents of money-order divisions in post-offices; (5) the direct custodians of money for whose fidelity another officer is under official bond and disbursing officers having the custody of money who give bonds, but these exceptions shall not extend to any official below the grade of assistant cashier or teller; (6) persons employed exclusively in the secret service of the Government, or as translators or interpreters or stenographers; (7) persons whose employment is exclusively professional; (8) chief clerks, deputy collectors, and superintendents, or chiefs of divisions and bureaus. But no person so excepted shall be either transferred, appointed, or promoted, unless to some excepted place, without an examination under the Commission. Promotions may be made without examination in offices where examinations for promotion are not now held until rules on this subject shall be promulgated.

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* Addressed to the heads of the Executive Departments, etc.

Approved, November 10, 1884. CHESTER A. ARTHUR.

FOURTH ANNUAL MESSAGE.

WASHINGTON, *December 1, 1884.*

To the Congress of the United States:

Since the close of your last session the American people, in the exercise of their highest right of suffrage, have chosen their Chief Magistrate for the four years ensuing.

When it is remembered that at no period in the country's history has the long political contest which customarily precedes the day of the national election been waged with greater fervor and intensity, it is a subject of general congratulation that after the controversy at the polls was over, and while the slight preponderance by which the issue had been determined was as yet unascertained, the public peace suffered no disturbance, but the people everywhere patiently and quietly awaited the result.

Nothing could more strikingly illustrate the temper of the American citizen, his love of order, and his loyalty to law. Nothing could more signally demonstrate the strength and wisdom of our political institutions.

Eight years have passed since a controversy concerning the result of a national election sharply called the attention of the Congress to the necessity of providing more precise and definite regulations for counting the electoral vote.

It is of the gravest importance that this question be solved before conflicting claims to the Presidency shall again distract the country, and I am persuaded that by the people at large any of the measures of relief thus far proposed would be preferred to continued inaction.

Our relations with all foreign powers continue to be amicable.

With Belgium a convention has been signed whereby the scope of present treaties has been so enlarged as to secure to citizens of either country within the jurisdiction of the other equal rights and privileges in the acquisition and alienation of property. A trade-marks treaty has also been concluded.

The war between Chile and Peru is at an end. For the arbitration of the claims of American citizens who during its continuance suffered through the acts of the Chilean authorities a convention will soon be negotiated.

The state of hostilities between France and China continues to be an embarrassing feature of our Eastern relations. The Chinese Government has promptly adjusted and paid the claims of American citizens whose property was destroyed in the recent riots at Canton. I renew the recommendation of my last annual message, that the Canton indemnity fund be returned to China.

The true interpretation of the recent treaty with that country permitting the restriction of Chinese immigration is likely to be again the subject of your deliberations. It may be seriously questioned whether the statute passed at the last session does not violate the treaty rights of certain Chinese who left this country with return certificates valid under the old law, and who now seem to be debarred from relanding for lack of the certificates required by the new.

The recent purchase by citizens of the United States of a large trading fleet heretofore under the Chinese flag has considerably enhanced our commercial importance in the East. In view of the large number of vessels built or purchased by American citizens in other countries and exclusively employed in legitimate traffic between foreign ports under the recognized protection of our flag, it might be well to provide a uniform rule for their registration and documentation, so that the *bona fide* property rights of our citizens therein shall be duly evidenced and properly guarded.

Pursuant to the advice of the Senate at the last session, I recognized the flag of the International Association of the Kongo as that of a friendly government, avoiding in so doing any prejudgment of conflicting territorial claims in that region. Subsequently, in execution of the expressed wish of the Congress, I appointed a commercial agent for the Kongo basin.

The importance of the rich prospective trade of the Kongo Valley has led to the general conviction that it should be open to all nations upon equal terms. At an international conference for the consideration of this subject called by the Emperor of Germany, and now in session at Berlin, delegates are in attendance on behalf of the United States. Of the results of the conference you will be duly advised.

The Government of Korea has generously aided the efforts of the United States minister to secure suitable premises for the use of the legation. As the conditions of diplomatic intercourse with Eastern nations demand that the legation premises be owned by the represented power, I advise that an appropriation be made for the acquisition of this property by the Government. The United States already possess valuable premises at Tangier as a gift from the Sultan of Morocco. As is stated hereafter, they have lately received a similar gift from the Siamese Government. The Government of Japan stands ready to present to us extensive grounds at Tokyo whereon to erect a suitable building for the legation, court-house, and jail, and similar privileges can probably be secured in China and Persia. The owning of such premises would not only effect a large saving of the present rentals, but would permit of the due assertion of extraterritorial rights in those countries, and would the better serve to maintain the dignity of the United States.

The failure of Congress to make appropriation for our representation at the autonomous court of the Khedive has proved a serious embarrassment in our intercourse with Egypt; and in view of the necessary intimacy of diplomatic relationship due to the participation of this Government as one of the treaty powers in all matters of administration there affecting the rights of foreigners, I advise the restoration of the agency and consulate-general at Cairo on its former basis. I do not conceive it to be the wish of Congress that the United States should withdraw altogether from the honorable position they have hitherto held with respect to the Khedive, or that citizens of this Republic residing or sojourning in Egypt should hereafter be without the aid and protection of a competent representative.

With France the traditional cordial relationship continues. The colossal statue of Liberty Enlightening the World, the generous gift of the people of France, is expected to reach New York in May next. I suggest that Congressional action be taken in recognition of the spirit which has prompted this gift and in aid of the timely completion of the pedestal upon which it is to be placed.

Our relations with Germany, a country which contributes to our own some of the best elements of citizenship, continue to be cordial. The United States have extradition treaties with several of the German States, but by reason of the confederation of those States under the imperial rule the application of such treaties is not as uniform and comprehensive as the interests of the two countries require. I propose, therefore, to open negotiations for a single convention of extradition to embrace all the territory of the Empire.

It affords me pleasure to say that our intercourse with Great Britain continues to be of a most friendly character.

The Government of Hawaii has indicated its willingness to continue for seven years the provisions of the existing reciprocity treaty. Such continuance, in view of the relations of that country to the American system of States, should, in my judgment, be favored.

The revolution in Hayti against the established Government has terminated. While it was in progress it became necessary to enforce our neutrality laws by instituting proceedings against individuals and vessels charged with their infringement. These prosecutions were in all cases successful.

Much anxiety has lately been displayed by various European Governments, and especially by the Government of Italy, for the abolition of our import duties upon works of art. It is well to consider whether the present discrimination in favor of the productions of American artists abroad is not likely to result, as they themselves seem very generally to believe it may, in the practical exclusion of our painters and sculptors from the rich fields for observation, study, and labor which they have hitherto enjoyed.

There is prospect that the long-pending revision of the foreign treaties of Japan may be concluded at a new conference to be held at Tokyo. While this Government fully recognizes the equal and independent station of Japan in the community of nations, it would not oppose the general adoption of such terms of compromise as Japan may be disposed to offer in furtherance of a uniform policy of intercourse with Western nations.

During the past year the increasing good will between our own Government and that of Mexico has been variously manifested. The treaty of commercial reciprocity concluded January 20, 1883, has been ratified and awaits the necessary tariff legislation of Congress to become effective. This legislation will, I doubt not, be among the first measures to claim your attention.

A full treaty of commerce, navigation, and consular rights is much to be desired, and such a treaty I have reason to believe that the Mexican Government stands ready to conclude.

Some embarrassment has been occasioned by the failure of Congress at its last session to provide means for the due execution of the treaty of July 29, 1882, for the resurvey of the Mexican boundary and the relocation of boundary monuments.

With the Republic of Nicaragua a treaty has been concluded which authorizes the construction by the United States of a canal, railway, and telegraph line across the Nicaraguan territory.

By the terms of this treaty 60 miles of the river San Juan, as well as Lake Nicaragua, an inland sea 40 miles in width, are to constitute a part of the projected enterprise.

This leaves for actual canal construction 17 miles on the Pacific side and 36 miles on the Atlantic. To the United States, whose rich territory on the Pacific is for the ordinary purposes of commerce practically cut off from communication by water with the Atlantic ports, the political and commercial advantages of such a project can scarcely be overestimated.

It is believed that when the treaty is laid before you the justice and liberality of its provisions will command universal approval at home and abroad.

The death of our representative at Russia while at his post at St. Petersburg afforded to the Imperial Government a renewed opportunity to testify its sympathy in a manner befitting the intimate friendliness which has ever marked the intercourse of the two countries.

The course of this Government in raising its representation at Bangkok to the diplomatic rank has evoked from Siam evidences of warm friendship and augurs well for our enlarged intercourse. The Siamese Government has presented to the United States a commodious mansion and grounds for the occupancy of the legation, and I suggest that by joint resolution Congress attest its appreciation of this generous gift.

This government has more than once been called upon of late to take action in fulfillment of its international obligations toward Spain. Agitation in the island of Cuba hostile to the Spanish Crown having been fomented by persons abusing the sacred rights of hospitality which our territory affords, the officers of this Government have been instructed to exercise vigilance to prevent infractions of our neutrality laws at Key West and at other points near the Cuban coast. I am happy to say that in the only instance where these precautionary measures were successfully eluded the offenders, when found in our territory, were subsequently tried and convicted.

The growing need of close relationship of intercourse and traffic between the Spanish Antilles and their natural market in the United States led to the adoption in January last of a commercial agreement looking to that end. This agreement has since been superseded by a more carefully framed and comprehensive convention, which I shall submit to the Senate for approval. It has been the aim of this negotiation to open such a favored reciprocal exchange of productions carried under the flag of either country as to make the intercourse between Cuba and Puerto Rico and ourselves scarcely less intimate than the commercial movement between our domestic ports, and to insure a removal of the burdens on shipping in the Spanish Indies, of which in the past our shipowners and shipmasters have so often had cause to complain.

The negotiation of this convention has for a time postponed the prosecution of certain claims of our citizens which were declared to be without the jurisdiction of the late Spanish-American Claims Commission, and which are therefore remitted to diplomatic channels for adjustment. The speedy settlement of these claims will now be urged by this Government.

Negotiations for a treaty of commercial reciprocity with the Dominican Republic have been successfully concluded, and the result will shortly be laid before the Senate.

Certain questions between the United States and the Ottoman Empire still remain unsolved. Complaints on behalf of our citizens are not satisfactorily adjusted. The Porte has sought to withhold from our commerce the right of favored treatment to which we are entitled by existing conventional stipulations, and the revision of the tariffs is unaccomplished.

The final disposition of pending questions with Venezuela has not as yet been reached, but I have good reason to expect an early settlement which will provide the means of reexamining the Caracas awards in conformity with the expressed desire of Congress, and which will recognize the justice of certain claims preferred against Venezuela.

The Central and South American Commission appointed by authority of the act of July 7, 1884, will soon proceed to Mexico. It has been furnished with instructions which will be laid before you. They contain a statement of the general policy of the Government for enlarging its commercial intercourse with American States. The commissioners have been actively preparing for their responsible task by holding conferences in the principal cities with merchants and others interested in Central and South American trade.

The International Meridian Conference lately convened in Washington upon the invitation of the Government of the United States was composed of representatives from twenty-five nations. The conference concluded its labors on the 1st of November, having with substantial unanimity agreed upon the meridian of Greenwich as the starting point whence longitude is to be computed through 180 degrees eastward and westward, and upon the adoption, for all purposes for which it may be found convenient, of a universal day which shall begin at midnight on the initial meridian and whose hours shall be counted from zero up to twenty-four.

The formal report of the transactions of this conference will be hereafter transmitted to the Congress.

This Government is in frequent receipt of invitations from foreign states to participate in international exhibitions, often of great interest and importance. Occupying, as we do, an advanced position in the world's production, and aiming to secure a profitable share for our industries in the general competitive markets, it is a matter of serious concern that the want of means for participation in these exhibitions should so often exclude our producers from advantages enjoyed by those of other countries. During the past year the attention of Congress was drawn to the formal invitations in this regard tendered by the Governments of England, Holland, Belgium, Germany, and Austria. The Executive has in some instances appointed honorary commissioners. This is, however, a most unsatisfactory expedient, for without some provision to meet the necessary working expenses of a commission it can effect little or nothing in behalf of exhibitors. An International Inventions Exhibition is to be held in London next May. This will cover a field of special importance, in which our country holds a foremost rank; but the Executive is at present powerless to organize a proper representation of our vast national interests in this direction.

I have in several previous messages referred to this subject. It seems to me that a statute giving to the Executive general discretionary authority to accept such invitations and to appoint honorary commissioners, without salary, and placing at the disposal of the Secretary of State a small fund for defraying their reasonable expenses, would be of great public utility.

This Government has received official notice that the revised international regulations for preventing collisions at sea have been adopted by all the leading maritime powers except the United States, and came into force on the 1st of September last. For the due protection of our shipping interests the provisions of our statutes should at once be brought into conformity with these regulations.

The question of securing to authors, composers, and artists copyright privileges in this country in return for reciprocal rights abroad is one that may justly challenge your attention. It is true that conventions will be necessary for fully accomplishing this result; but until Congress shall by statute fix the extent to which foreign holders of copyright shall be here privileged it has been deemed inadvisable to negotiate such conventions. For this reason the United States were not represented at the recent conference at Berne.

I recommend that the scope of the neutrality laws of the United States be so enlarged as to cover all patent acts of hostility committed in our territory and aimed against the peace of a friendly nation. Existing statutes prohibit the fitting out of armed expeditions and restrict the shipment of explosives, though the enactments in the latter respect were not framed with regard to international obligations, but simply for the protection of passenger travel. All these statutes were intended to meet special emergencies that had already arisen. Other emergencies have arisen since, and modern ingenuity supplies means for the organization of hostilities without open resort to armed vessels or to filibustering parties.

I see no reason why overt preparations in this country for the commission of criminal acts such as are here under consideration should not be alike punishable whether such acts are intended to be committed in our own country or in a foreign country with which we are at peace.

The prompt and thorough treatment of this question is one which intimately concerns the national honor.

Our existing naturalization laws also need revision. Those sections relating to persons residing within the limits of the United States in 1795 and 1798 have now only a historical interest. Section 2172, recognizing the citizenship of the children of naturalized parents, is ambiguous in its terms and partly obsolete. There are special provisions of law favoring the naturalization of those who serve in the Army or in merchant vessels, while no similar privileges are granted those who serve in the Navy or the Marine Corps.

"An uniform rule of naturalization" such as the Constitution contemplates should, among other things, clearly define the status of persons born within the United States subject to a foreign power (section 1992) and of minor children of fathers who have declared their intention to become citizens but have failed to perfect their naturalization. It might be wise to provide for a central bureau of registry, wherein should be filed authenticated transcripts of every record of naturalization in the several Federal and State courts, and to make provision also for the vacation or cancellation of such record in cases where fraud had been practiced upon the court by the applicant himself or where he had renounced or forfeited his acquired citizenship. A just and uniform law in this respect would strengthen the hands of the Government in protecting its citizens abroad and would pave the way for the conclusion of treaties of naturalization with foreign countries.

The legislation of the last session effected in the diplomatic and consular service certain changes and reductions which have been productive of embarrassment. The population and commercial activity of our country are steadily on the increase, and are giving rise to new, varying, and often delicate relationships with other countries. Our foreign establishment now embraces nearly double the area of operations that it occupied twenty years ago. The confinement of such a service within the limits of expenditure then established is not, it seems to me, in accordance with true economy. A community of 60,000,000 people should be adequately represented in its intercourse with foreign nations.

A project for the reorganization of the consular service and for recasting the scheme of extraterritorial jurisdiction is now before you. If the limits of a short session will not allow of its full consideration, I trust that you will not fail to make suitable provision for the present needs of the service.

It has been customary to define in the appropriation acts the rank of each diplomatic office to which a salary is attached. I suggest that this course be abandoned and that it be left to the President, with the advice and consent of the Senate, to fix from time to time the diplomatic grade of the representatives of this Government abroad as may seem advisable, provision being definitely made, however, as now, for the amount of salary attached to the respective stations.

The condition of our finances and the operations of the various branches of the public service which are connected with the Treasury Department are very fully discussed in the report of the Secretary.

It appears that the ordinary revenues for the fiscal year ended June 30, 1884, were:

From customs	$195,067,489.76
From internal revenue	121,586,072.51
From all other sources	31,866,307.65
Total ordinary revenues	348,519,869.92

The public expenditures during the same period were:

For civil expenses	$22,312,907.71
For foreign intercourse	1,260,766.37
For Indians	6,475,999.29
For pensions	55,429,228.06
For the military establishment, including river and harbor improvements and arsenals	39,429,603.36
For the naval establishment, including vessels, machinery, and improvements at navy-yards	17,292,601.44
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	43,939,710.00
For expenditures on account of the District of Columbia	3,407,049.62
For interest on the public debt	54,578,378.48
For the sinking fund	46,790,229.50
Total ordinary expenditures	290,916,473.83
Leaving a surplus of	57,603,396.06

As compared with the preceding fiscal year, there was a net decrease of over $21,000,000 in the amount of expenditures. The aggregate receipts were less than those of the year previous by about $54,000,000. The falling off in revenue from customs made up nearly $20,000,000 of this deficiency, and about $23,000,000 of the remainder was due to the diminished receipts from internal taxation.

The Secretary estimates the total receipts for the fiscal year which will end June 30, 1885, at $330,000,000 and the total expenditures at $290,620,201.16, in which sum are included the interest on the debt and the amount payable to the sinking fund. This would leave a surplus for the entire year of about $39,000,000.

The value of exports from the United States to foreign countries during the year ending June 30, 1884, was as follows:

Domestic merchandise	$724,964,852
Foreign merchandise	15,548,757
Total merchandise	740,513,609
Specie	67,133,383
Total exports of merchandise and specie	807,646,992

The cotton and cotton manufactures included in this statement were valued at $208,900,415; the breadstuffs at $162,544,715; the provisions at $114,416,547, and the mineral oils at $47,103,248.

During the same period the imports were as follows:

Merchandise	$667,697,693
Gold and silver	37,426,262
Total	705,123,955

More than 63 per cent of the entire value of imported merchandise consisted of the following articles:

Sugar and molasses	$103,884,274
Wool and woolen manufactures	53,542,292
Silk and its manufactures	49,949,128
Coffee	49,686,705
Iron and steel and manufactures thereof	41,464,599
Chemicals	38,464,965
Flax, hemp, jute, and like substances, and manufactures thereof	33,463,398
Cotton and manufactures of cotton	30,454,476
Hides and skins other than fur skins	22,350,906

I concur with the Secretary of the Treasury in recommending the immediate suspension of the coinage of silver dollars and of the issuance of silver certificates. This is a matter to which in former communications I have more than once invoked the attention of the National Legislature.

It appears that annually for the past six years there have been coined, in compliance with the requirements of the act of February 28, 1878, more than 27,000,000 silver dollars.

The number now outstanding is reported by the Secretary to be nearly 185,000,000, whereof but little more than 40,000,000, or less than 22 per cent. are in actual circulation. The mere existence of this fact seems to me to furnish of itself a cogent argument for the repeal of the statute which has made such fact possible.

But there are other and graver considerations that tend in the same direction.

The Secretary avows his conviction that unless this coinage and the issuance of silver certificates be suspended silver is likely at no distant day to become our sole metallic standard. The commercial disturbance and the impairment of national credit that would be thus occasioned can scarcely be overestimated.

I hope that the Secretary's suggestions respecting the withdrawal from circulation of the $1 and $2 notes will receive your approval. It is likely that a considerable portion of the silver now encumbering the vaults of the Treasury might thus find its way into the currency.

While trade dollars have ceased, for the present at least, to be an element of active disturbance in our currency system, some provision should be made for their surrender to the Government. In view of the circumstances under which they were coined and of the fact that they have never had a legal-tender quality, there should be offered for them only a slight advance over their bullion value.

The Secretary in the course of his report considers the propriety of beautifying the designs of our subsidiary silver coins and of so increasing their weight that they may bear their due ratio of value to the standard dollar. His conclusions in this regard are cordially approved.

In my annual message of 1882 I recommended the abolition of all excise taxes except those relating to distilled spirits. This recommendation is now renewed. In case these taxes shall be abolished the revenues that will still remain to the Government will, in my opinion, not only suffice to meet its reasonable expenditures, but will afford a surplus large enough to permit such tariff reduction as may seem to be advisable when the results of recent revenue laws and commercial treaties shall have shown in what quarters those reductions can be most judiciously effected.

One of the gravest of the problems which appeal to the wisdom of Congress for solution is the ascertainment of the most effective means for increasing our foreign trade and thus relieving the depression under which our industries are now languishing. The Secretary of the Treasury advises that the duty of investigating this subject be intrusted in the first instance to a competent commission. While fully recognizing the considerations that may be urged against this course, I am nevertheless of the opinion that upon the whole no other would be likely to effect speedier or better results.

That portion of the Secretary's report which concerns the condition of our shipping interests can not fail to command your attention. He emphatically recommends that as an incentive to the investment of American capital in American steamships the Government shall, by liberal payments for mail transportation or otherwise, lend its active assistance to individual enterprise, and declares his belief that unless that course be pursued our foreign carrying trade must remain, as it is to-day, almost exclusively in the hands of foreigners.

One phase of this subject is now especially prominent in view of the repeal by the act of June 26, 1884, of all statutory provisions arbitrarily compelling American vessels to carry the mails to and from the United States. As it is necessary to make provision to compensate the owners of such vessels for performing that service after April, 1885, it is hoped that the whole subject will receive early consideration that will lead to the enactment of such measures for the revival of our merchant marine as the wisdom of Congress may devise.

The 3 per cent bonds of the Government to the amount of more than $100,000,000 have since my last annual message been redeemed by the Treasury. The bonds of that issue still outstanding amount to little over $200,000,000, about one-fourth of which will be retired through the operations of the sinking fund during the coming year. As these bonds still constitute the chief basis for the circulation of the national banks, the question how to avert the contraction of the currency caused by their retirement is one of constantly increasing importance.

It seems to be generally conceded that the law governing this matter exacts from the banks excessive security, and that upon their present bond deposits a larger circulation than is now allowed may be granted with safety. I hope that the bill which passed the Senate at the last session, permitting the issue of notes equal to the face value of the deposited bonds, will commend itself to the approval of the House of Representatives.

In the expenses of the War Department the Secretary reports a decrease of more than $9,000,000. Of this reduction $5,600,000 was effected in the expenditures for rivers and harbors and $2,700,000 in expenditures for the Quartermaster's Department.

Outside of that Department the annual expenses of all the Army bureaus proper (except possibly the Ordnance Bureau) are substantially fixed charges, which can not be materially diminished without a change in the numerical strength of the Army. The expenditures in the Quartermaster's Department can readily be subjected to administrative discretion, and it is reported by the Secretary of War that as a result of exercising such discretion in reducing the number of draft and pack animals in the Army the annual cost of supplying and caring for such animals is now $1,108,085.90 less than it was in 1881.

The reports of military commanders show that the last year has been notable for its entire freedom from Indian outbreaks.

In defiance of the President's proclamation of July 1, 1884,* certain intruders sought to make settlements in the Indian Territory. They were promptly removed by a detachment of troops.

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* See pp. 4811–4812.

During the past session of Congress a bill to provide a suitable fireproof building for the Army Medical Museum and the library of the Surgeon-General's Office received the approval of the Senate. A similar bill, reported favorably to the House of Representatives by one of its committees, is still pending before that body. It is hoped that during the coming session the measure may become a law, and that thereafter immediate steps may be taken to secure a place of safe deposit for these valuable collections, now in a state of insecurity.

The funds with which the works for the improvement of rivers and harbors were prosecuted during the past year were derived from the appropriations of the act of August 2, 1882, together with such few balances as were on hand from previous appropriations. The balance in the Treasury subject to requisition July 1, 1883, was $10,021,649.55. The amount appropriated during the fiscal year 1884 was $1,319,634.62, and the amount drawn from the Treasury during the fiscal year was $8,228,703.54, leaving a balance of $3,112,580.63 in the Treasury subject to requisition July 1, 1884.

The Secretary of War submits the report of the Chief of Engineers as to the practicability of protecting our important cities on the seaboard by fortifications and other defenses able to repel modern methods of attack. The time has now come when such defenses can be prepared with confidence that they will not prove abortive, and when the possible result of delay in making such preparation is seriously considered delay seems inexcusable. For the most important cities—those whose destruction or capture would be a national humiliation—adequate defenses, inclusive of guns, may be made by the gradual expenditure of $60,000,000—a sum much less than a victorious enemy could levy as a contribution. An appropriation of about one-tenth of that amount is asked to begin the work, and I concur with the Secretary of War in urging that it be granted.

The War Department is proceeding with the conversion of 10-inch smoothbore guns into 8-inch rifles by lining the former with tubes of forged steel or of coil wrought iron. Fifty guns will be thus converted within the year. This, however, does not obviate the necessity of providing means for the construction of guns of the highest power both for the purposes of coast defense and for the armament of war vessels.

The report of the Gun Foundry Board, appointed April 2, 1883, in pursuance of the act of March 3, 1883, was transmitted to Congress in a special message of February 18, 1884.* In my message of March 26, 1884,† I called attention to the recommendation of the board that the Government should encourage the production at private steel works of the required material for heavy cannon, and that two Government factories, one for the Army and one for the Navy, should be established for the fabrication of guns from such material. No action having been taken, the board was subsequently reconvened to determine more fully the plans and estimates necessary for carrying out its recommendation. It has received information which indicates that there are responsible steel manufacturers in this country who, although not provided at present with the necessary plant, are willing to construct the same and to make bids for contracts with the Government for the supply of the requisite material for the heaviest guns adapted to modern warfare if a guaranteed order of sufficient magnitude, accompanied by a positive appropriation extending over a series of years, shall be made by Congress. All doubts as to the feasibility of the plan being thus removed, I renew my recommendation that such action be taken by Congress as will enable the Government to construct its own ordnance upon its own territory, and so to provide the armaments demanded by considerations of national safety and honor.

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* See p. 4791.

† See pp. 4796-4797

The report of the Secretary of the Navy exhibits the progress which has been made on the new steel cruisers authorized by the acts of August 5, 1882, and March 3, 1883. Of the four vessels under contract, one, the *Chicago*, of 4,500 tons, is more than half finished; the *Atlanta*, of 3,000 tons, has been successfully launched, and her machinery is now fitting; the *Boston*, also of 3,000 tons, is ready for launching, and the *Dolphin*, a dispatch steamer of 1,500 tons, is ready for delivery.

Certain adverse criticisms upon the designs of these cruisers are discussed by the Secretary, who insists that the correctness of the conclusions reached by the Advisory Board and by the Department has been demonstrated by recent developments in shipbuilding abroad.

The machinery of the double-turreted monitors *Puritan*, *Terror*, and *Amphitrite*, contracted for under the act of March 3, 1883, is in process of construction. No work has been done during the past year on their armor for lack of the necessary appropriations. A fourth monitor, the *Monadnock*, still remains unfinished at the navy-yard in California. It is recommended that early steps be taken to complete these vessels and to provide also an armament for the monitor *Miantonomoh*.

The recommendations of the Naval Advisory Board, approved by the Department, comprise the construction of one steel cruiser of 4,500 tons, one cruiser of 3,000 tons, two heavily armed gunboats, one light cruising gunboat, one dispatch vessel armed with Hotchkiss cannon, one armored ram, and three torpedo boats. The general designs, all of which are calculated to meet the existing wants of the service, are now well advanced, and the construction of the vessels can be undertaken as soon as you shall grant the necessary authority.

The act of Congress approved August 7, 1882, authorized the removal to the United States of the bodies of Lieutenant-Commander George W. De Long and his companions of the *Jeannette* expedition. This removal has been successfully accomplished by Lieutenants Harber and Schuetze. The remains were taken from their grave in the Lena Delta in March, 1883, and were retained at Yakutsk until the following winter, the season being too far advanced to admit of their immediate transportation. They arrived at New York February 20, 1884, where they were received with suitable honors.

In pursuance of the joint resolution of Congress approved February 13, 1884, a naval expedition was fitted out for the relief of Lieutenant A. W. Greely, United States Army, and of the party who had been engaged under his command in scientific observations at Lady Franklin Bay. The fleet consisted of the steam sealer *Thetis*, purchased in England; the *Bear*, purchased at St. Johns, Newfoundland, and the *Alert*, which was generously provided by the British Government. Preparations for the expedition were promptly made by the Secretary of the Navy, with the active cooperation of the Secretary of War. Commander George W. Coffin was placed in command of the *Alert* and Lieutenant William H. Emory in command of the *Bear*. The *Thetis* was intrusted to Commander Winfield S. Schley, to whom also was assigned the superintendence of the entire expedition.

Immediately upon its arrival at Upernavik the fleet began the dangerous navigation of Melville Bay, and in spite of every obstacle reached Littleton Island on June 22, a fortnight earlier than any vessel had before attained that point. On the same day it crossed over to Cape Sabine, where Lieutenant Greely and the other survivors of his party were discovered. After taking on board the living and the bodies of the dead, the relief ships sailed for St. Johns, where they arrived on July 17. They were appropriately received at Portsmouth, N. H., on August 1 and at New York on August 8. One of the bodies was landed at the former place. The others were put on shore at Governors Island, and, with the exception of one, which was interred in the national cemetery, were forwarded thence to the destinations indicated by friends. The organization and conduct of this relief expedition reflects great credit upon all who contributed to its success.

In this the last of the stated messages that I shall have the honor to transmit to the Congress of the United States I can not too strongly urge upon its attention the duty of restoring our Navy as rapidly as possible to the high state of efficiency which formerly characterized it. As the long peace that has lulled us into a sense of fancied security may at any time be disturbed, it is plain that the policy of strengthening this arm of the service is dictated by considerations of wise economy, of just regard for our future tranquillity, and of true appreciation of the dignity and honor of the Republic.

The report of the Postmaster-General acquaints you with the present condition and needs of the postal service.

It discloses the gratifying fact that the loss of revenue from the reduction in the rate of letter postage recommended in my message of December 4, 1882, and effected by the act of March 3, 1883, has been much less than was generally anticipated. My recommendation of this reduction was based upon the belief that the actual falling off in receipts from letter postages for the year immediately succeeding the change of rate would be $3,000,000. It has proved to be only $2,275,000.

This is a trustworthy indication that the revenue will soon be restored to its former volume by the natural increase of sealed correspondence.

I confidently repeat, therefore, the recommendation of my last annual message that the single-rate postage upon drop letters be reduced to 1 cent wherever the payment of 2 cents is now required by law. The double rate is only exacted at offices where the carrier system is in operation, and it appears that at those offices the increase in the tax upon local letters defrays the cost not only of its own collection and delivery, but of the collection and delivery of all other mail matter. This is an inequality that ought no longer to exist.

I approve the recommendation of the Postmaster-General that the unit of weight in the rating of first-class matter should be 1 ounce instead of one-half ounce, as it now is. In view of the statistics furnished by the Department, it may well be doubted whether the change would result in any loss of revenue. That it would greatly promote the convenience of the public is beyond dispute.

The free-delivery system has been lately applied to five cities, and the total number of offices in which it is now in operation is 159. Experience shows that its adoption, under proper conditions, is equally an accommodation to the public and an advantage to the postal service. It is more than self-sustaining, and for the reasons urged by the Postmaster-General may properly be extended.

In the opinion of that officer it is important to provide means whereby exceptional dispatch in dealing with letters in free-delivery offices may be secured by payment of extraordinary postage. This scheme might be made effective by employment of a special stamp whose cost should be commensurate with the expense of the extra service.

In some of the large cities private express companies have undertaken to outstrip the Government mail carriers by affording for the prompt transmission of letters better facilities than have hitherto been at the command of the Post-Office.

It has always been the policy of the Government to discourage such enterprises, and in no better mode can that policy be maintained than in supplying the public with the most efficient mail service that, with due regard to its own best interests, can be furnished for its accommodation.

The Attorney-General renews the recommendation contained in his report of last year touching the fees of witnesses and jurors.

He favors radical changes in the fee bill, the adoption of a system by which attorneys and marshals of the United States shall be compensated solely by salaries, and the erection by the Government of a penitentiary for the confinement of offenders against its laws.

Of the varied governmental concerns in charge of the Interior Department the report of its Secretary presents an interesting summary. Among the topics deserving particular attention I refer you to his observations respecting our Indian affairs, the preemption and timber-culture acts, the failure of railroad companies to take title to lands granted by the Government, and the operations of the Pension Office, the Patent Office, the Census Bureau, and the Bureau of Education.

Allusion has been made already to the circumstance that, both as between the different Indian tribes and as between the Indians and the whites, the past year has been one of unbroken peace.

In this circumstance the President is glad to find justification for the policy of the Government in its dealing with the Indian question and confirmation of the views which were fully expressed in his first communication to the Forty-seventh Congress.

The Secretary urges anew the enactment of a statute for the punishment of crimes committed on the Indian reservations, and recommends the passage of the bill now pending in the House of Representatives for the purchase of a tract of 18,000 square miles from the Sioux Reservation. Both these measures are worthy of approval.

I concur with him also in advising the repeal of the preemption law, the enactment of statutes resolving the present legal complications touching lapsed grants to railroad companies, and the funding of the debt of the several Pacific railroads under such guaranty as shall effectually secure its ultimate payment.

The report of the Utah Commission will be read with interest.

It discloses the results of recent legislation looking to the prevention and punishment of polygamy in that Territory. I still believe that if that abominable practice can be suppressed by law it can only be by the most radical legislation consistent with the restraints of the Constitution.

I again recommend, therefore, that Congress assume absolute political control of the Territory of Utah and provide for the appointment of commissioners with such governmental powers as in its judgment may justly and wisely be put into their hands.

In the course of this communication reference has more than once been made to the policy of this Government as regards the extension of our foreign trade. It seems proper to declare the general principles that should, in my opinion, underlie our national efforts in this direction.

The main conditions of the problem may be thus stated:

We are a people apt in mechanical pursuits and fertile in invention. We cover a vast extent of territory rich in agricultural products and in nearly all the raw materials necessary for successful manufacture. We have a system of productive establishments more than sufficient to supply our own demands. The wages of labor are nowhere else so great. The scale of living of our artisan classes is such as tends to secure their personal comfort and the development of those higher moral and intellectual qualities that go to the making of good citizens. Our system of tax and tariff legislation is yielding a revenue which is in excess of the present needs of the Government.

These are the elements from which it is sought to devise a scheme by which, without unfavorably changing the condition of the workingman, our merchant marine shall be raised from its enfeebled condition and new markets provided for the sale beyond our borders of the manifold fruits of our industrial enterprises.

The problem is complex and can be solved by no single measure of innovation or reform.

The countries of the American continent and the adjacent islands are for the United States the natural marts of supply and demand. It is from them that we should obtain what we do not produce or do not produce in sufficiency, and it is to them that the surplus productions of our fields, our mills, and our workshops should flow, under conditions that will equalize or favor them in comparison with foreign competition.

Four paths of policy seem to point to this end:

First. A series of reciprocal commercial treaties with the countries of America which shall foster between us and them an unhampered movement of trade. The conditions of these treaties should be the free admission of such merchandise as this country does not produce, in return for the admission free or under a favored scheme of duties of our own products, the benefits of such exchange to apply only to goods carried under the flag of the parties to the contract; the removal on both sides from the vessels so privileged of all tonnage dues and national imposts, so that those vessels may ply unhindered between our ports and those of the other contracting parties, though without infringing on the reserved home coasting trade; the removal or reduction of burdens on the exported products of those countries coming within the benefits of the treaties, and the avoidance of the technical restrictions and penalties by which our intercourse with those countries is at present hampered.

Secondly. The establishment of the consular service of the United States on a salaried footing, thus permitting the relinquishment of consular fees not only as respects vessels under the national flag, but also as respects vessels of the treaty nations carrying goods entitled to the benefits of the treaties.

Thirdly. The enactment of measures to favor the construction and maintenance of a steam carrying marine under the flag of the United States.

Fourthly. The establishment of an uniform currency basis for the countries of America, so that the coined products of our mines may circulate on equal terms throughout the whole system of commonwealths. This would require a monetary union of America, whereby the output of the bullion-producing countries and the circulation of those which yield neither gold nor silver could be adjusted in conformity with the population, wealth, and commercial needs of each. As many of the countries furnish no bullion to the common stock, the surplus production of our mines and mints might thus be utilized and a step taken toward the general remonetization of silver.

To the accomplishment of these ends, so far as they can be attained by separate treaties, the negotiations already concluded and now in progress have been directed; and the favor which this enlarged policy has thus far received warrants the belief that its operations will ere long embrace all, or nearly all, the countries of this hemisphere.

It is by no means desirable, however, that the policy under consideration should be applied to these countries alone. The healthful enlargement of our trade with Europe, Asia, and Africa should be sought by reducing tariff burdens on such of their wares as neither we nor the other American States are fitted to produce, and thus enabling ourselves to obtain in return a better market for our supplies of food, of raw materials, and of the manufactures in which we excel.

It seems to me that many of the embarrassing elements in the great national conflict between protection and free trade may thus be turned to good account; that the revenue may be reduced so as no longer to overtax the people; that protective duties may be retained without becoming burdensome; that our shipping interests may be judiciously encouraged, the currency fixed on firm bases, and, above all, such an unity of interests established among the States of the American system as will be of great and ever-increasing advantage to them all.

All treaties in the line of this policy which have been negotiated or are in process of negotiation contain a provision deemed to be requisite under the clause of the Constitution limiting to the House of Representatives the authority to originate bills for raising revenue.

On the 29th of February last* I transmitted to the Congress the first annual report of the Civil Service Commission, together with communications from the heads of the several Executive Departments of the Government respecting the practical workings of the law under which the Commission had been acting. The good results therein foreshadowed have been more than realized.

The system has fully answered the expectations of its friends in securing competent and faithful public servants and in protecting the appointing officers of the Government from the pressure of personal importunity and from the labor of examining the claims and pretensions of rival candidates for public employment.

The law has had the unqualified support of the President and of the heads of the several Departments, and the members of the Commission have performed their duties with zeal and fidelity. Their report will shortly be submitted, and will be accompanied by such recommendations for enlarging the scope of the existing statute as shall commend themselves to the Executive and the Commissioners charged with its administration.

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* See pp. 4792-4793.

In view of the general and persistent demand throughout the commercial community for a national bankrupt law, I hope that the differences of sentiment which have hitherto prevented its enactment may not outlast the present session.

The pestilence which for the past two years has been raging in the countries of the East recently made its appearance in European ports with which we are in constant communication.

The then Secretary of the Treasury, in pursuance of a proclamation of the President,* issued certain regulations restricting and for a time prohibiting the importation of rags and the admission of baggage of immigrants and of travelers arriving from infected quarters. Lest this course may have been without strict warrant of law, I approve the recommendation of the present Secretary that the Congress take action in the premises, and I also recommend the immediate adoption of such measures as will be likely to ward off the dreaded epidemic and to mitigate its severity in case it shall unhappily extend to our shores.

The annual report of the Commissioners of the District of Columbia reviews the operations of the several departments of its municipal government. I ask your careful consideration of its suggestions in respect to legislation, especially commending such as relate to a revision of the civil and criminal code, the performance of labor by persons sentenced to imprisonment in the jail, the construction and occupation of wharves along the river front, and the erection of a suitable building for District offices.

I recommend that in recognition of the eminent services of Ulysses S. Grant, late General of the armies of the United States and twice President of this nation, the Congress confer upon him a suitable pension.

Certain of the measures that seem to me necessary and expedient I have now, in obedience to the Constitution, recommended for your adoption.

As respects others of no less importance I shall content myself with renewing the recommendations already made to the Congress, without restating the grounds upon which such recommendations were based.

The preservation of forests on the public domain, the granting of Government aid for popular education, the amendment of the Federal Constitution so as to make effective the disapproval by the President of particular items in appropriation bills, the enactment of statutes in regard to the filling of vacancies in the Presidential office, and the determining of vexed questions respecting Presidential inability are measures which may justly receive your serious consideration.

As the time draws nigh when I am to retire from the public service, I can not refrain from expressing to the members of the National Legislature with whom I have been brought into personal and official intercourse my sincere appreciation of their unfailing courtesy and of their harmonious cooperation with the Executive in so many measures calculated to promote the best interests of the nation.

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*See p. 4812.

And to my fellow-citizens generally I acknowledge a deep sense of obligation for the support which they have accorded me in my administration of the executive department of this Government.

CHESTER A. ARTHUR.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, December 3, 1884.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention for regulating the right of succession to and acquisition of property, etc., concluded between the United States and Belgium on the 4th ultimo.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 3, 1884.

To the Senate of the United States:

I herewith transmit, for the consideration of the Senate with a view to its ratification, a convention between the United States of America and the United States of Mexico, touching the boundary line between the two countries where it follows the bed of the Rio Grande and the Rio Gila, concluded November 12, 1884, and add that the convention is in accordance with an opinion of the Hon. Caleb Cushing, Attorney-General, dated November 11, 1856. (See Opinions of Attorneys-General, Vol. XIII, p. 175, "Arcifinious boundaries.")

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 4, 1884.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, submitting the text, in the English and French languages, of the proceedings of the International Meridian Conference, provided for by the act of Congress approved August 3, 1882, held at Washington during the month of October, 1884.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 9, 1884.

To the Senate of the United States:

I herewith transmit, for the consideration of the Senate with a view to its ratification, a supplementary convention to limit the duration of the convention respecting commercial reciprocity between the United States of America and the Hawaiian Kingdom, concluded January 30, 1875.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 9, 1884.

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate with a view to obtaining its advice thereon and consent thereto, a convention for commercial reciprocity between the United States and the Dominican Republic, which was signed in this capital on the 4th instant.

This convention aims to carry out the principles which, as explained in my last annual message to the Congress, should, it is conceived, control all commercial arrangements entered into with our neighbors of the American system with whom trade must be conducted by sea. Santo Domingo is the first of the independent Republics of the Western Hemisphere with which an engagement of this character has been concluded, and the precedent now set will command your fullest attention as affecting like future negotiations.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 10, 1884.

To the Senate of the United States:

I transmit herewith, for consideration by the Senate with a view to advising and consenting to its ratification, a convention for commercial reciprocity between the United States and Spain, providing for an intimate and favored exchange of products with the islands of Cuba and Puerto Rico, which convention was signed at Madrid on the 18th ultimo.

The negotiations for this convention have been in progress since April last, in pursuance of the understanding reached by the two Governments on the 2d of January, 1884, for the improvement of commercial relations between the United States and the Spanish Antilles, by the eighth article of which both Governments engaged "to begin at once negotiations for a complete treaty of commerce and navigation between the United States of America and the said Provinces of Cuba and Puerto Rico." Although this clause was by common consent omitted from the substitutionary agreement of February 13, 1884 (now in force until replaced by this convention being carried into effect), the obligation to enter upon such a negotiation was deemed to continue. With the best desire manifest on both sides to reach a common accord, the negotiation has been necessarily protracted, owing to the complexity of the details to be incorporated in order that the convention might respond to the national policy of intercourse with the neighboring communities of the American system, which is outlined in my late annual message to the Congress in the following words:

> The conditions of these treaties should be the free admission of such merchandise as this country does not produce, in return for the admission free, or under a favored scheme of duties, of our own products, the benefits of such exchange to apply only to goods carried under the flag of the parties to the contract; the removal on both sides from the vessels so privileged of all tonnage dues and national imposts, so that those vessels may ply unhindered between our ports and those of the other contracting parties, though without infringing on the reserved home coasting trade; the removal or reduction of burdens on the exported products of those countries coming within the benefits of the treaties, and the avoidance of the technical restrictions and penalties by which our intercourse with those countries is at present hampered.

A perusal of the convention now submitted will suffice to show how fully it carries out the policy of intercourse thus announced. I commend it to you in the confident expectation that it will receive your sanction.

It does not seem necessary to my present purpose to enter into detailed consideration of the many immediate and prospective advantages which will flow from this convention to our productions and our shipping interests.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 10, 1884.

To the Senate of the United States:

I transmit herewith to the Senate, for consideration with a view to ratification, a treaty signed on the 1st of December with the Republic of Nicaragua, providing for the construction of an interoceanic canal across the territory of that State.

The negotiation of this treaty was entered upon under a conviction that it was imperatively demanded by the present and future political and material interests of the United States.

The establishment of water communication between the Atlantic and Pacific coasts of the Union is a necessity, the accomplishment of which, however, within the territory of the United States is a physical impossibility. While the enterprise of our citizens has responded to the duty of creating means of speedy transit by rail between the two oceans, these great achievements are inadequate to supply a most important requisite of national union and prosperity.

For all maritime purposes the States upon the Pacific are more distant from those upon the Atlantic than if separated by either ocean alone. Europe and Africa are nearer to New York, and Asia nearer to California, than are these two great States to each other by sea. Weeks of steam voyage or months under sail are consumed in the passage around the Horn, with the disadvantage of traversing tempestuous waters or risking the navigation of the Straits of Magellan.

A nation like ours can not rest satisfied with such a separation of its mutually dependent members. We possess an ocean border of considerably over 10,000 miles on the Atlantic and Gulf of Mexico, and, including Alaska, of some 10,000 miles on the Pacific. Within a generation the western coast has developed into an empire, with a large and rapidly growing population, with vast, but partially developed, resources. At the present rate of increase the end of the century will see us a commonwealth of perhaps nearly 100,000,000 inhabitants, of which the West should have a considerably larger and richer proportion than now. Forming one nation in interests and aims, the East and the West are more widely disjoined for all purposes of direct and economical intercourse by water and of national defense against maritime aggression than are most of the colonies of other powers from their mother country.

The problem of establishing such water communication has long attracted attention. Many projects have been formed and surveys have been made of all possible available routes. As a knowledge of the true topical conditions of the Isthmus was gained, insuperable difficulties in one case and another became evident, until by a process of elimination only two routes remained within range of profitable achievement, one by way of Panama and the other across Nicaragua.

The treaty now laid before you provides for such a waterway through the friendly territory of Nicaragua.

I invite your special attention to the provisions of the convention itself as best evidencing its scope.

From respect to the independent sovereignty of the Republic, through whose cooperation the project can alone be realized, the stipulations of the treaty look to the fullest recognition and protection of Nicaraguan rights in the premises. The United States have no motive or desire for territorial acquisition or political control beyond the present borders, and none such is contemplated by this treaty. The two Governments unite in framing this scheme as the sole means by which the work, as indispensable to the one as to the other, can be accomplished under such circumstances as to prevent alike the possibility of conflict between them and of interference from without.

The canal is primarily a domestic means of water communication between the Atlantic and Pacific shores of the two countries which unite for its construction, the one contributing the territory and the other furnishing the money therefor. Recognizing the advantages which the world's commerce must derive from the work, appreciating the benefit of enlarged use to the canal itself by contributing to its maintenance and by yielding an interest return on the capital invested therein, and inspired by the belief that any great enterprise which inures to the general benefit of the world is in some sort a trust for the common advancement of mankind, the two Governments have by this treaty provided for its peaceable use by all nations on equal terms, while reserving to the coasting trade of both countries (in which none but the contracting parties are interested) the privilege of favoring tolls.

The treaty provides for the construction of a railway and telegraph line, if deemed advisable, as accessories to the canal, as both may be necessary for the economical construction of the work and probably in its operation when completed.

The terms of the treaty as to the protection of the canal, while scrupulously confirming the sovereignty of Nicaragua, amply secure that State and the work itself from possible contingencies of the future which it may not be within the sole power of Nicaragua to meet.

From a purely commercial point of view the completion of such a waterway opens a most favorable prospect for the future of our country. The nations of the Pacific coast of South America will by its means be brought into close connection with our Gulf States. The relation of those American countries to the United States is that of a natural market, from which the want of direct communication has hitherto practically excluded us. By piercing the Isthmus the heretofore insuperable obstacles of time and sea distance disappear, and our vessels and productions will enter upon the world's competitive field with a decided advantage, of which they will avail themselves.

When to this is joined the large coasting trade between the Atlantic and Pacific States, which must necessarily spring up, it is evident that this canal affords, even alone, an efficient means of restoring our flag to its former place on the seas.

Such a domestic coasting trade would arise immediately, for even the fishing vessels of both seaboards, which now lie idle in the winter months, could then profitably carry goods between the Eastern and the Western States.

The political effect of the canal will be to knit closer the States now depending upon railway corporations for all commercial and personal intercourse, and it will not only cheapen the cost of transportation, but will free individuals from the possibility of unjust discriminations.

It will bring the European grain markets of demand within easy distance of our Pacific States, and will give to the manufacturers on the Atlantic seaboard economical access to the cities of China, thus breaking down the barrier which separates the principal manufacturing centers of the United States from the markets of the vast population of Asia, and placing the Eastern States of the Union for all purposes of trade midway between Europe and Asia. In point of time the gain for sailing vessels would be great, amounting from New York to San Francisco to a saving of seventy-five days; to Hongkong, of twenty-seven days; to Shanghai, of thirty-four days, and to Callao, of fifty-two days.

Lake Nicaragua is about 90 miles long and 40 miles in greatest width. The water is fresh, and affords abundant depth for vessels of the deepest draft. Several islands give facilities for establishing coaling stations, supply depots, harbors, and places for repairs. The advantage of this vast inland harbor is evident.

The lake is 110 feet above tide water. Six locks, or five intermediate levels, are required for the Pacific end of the canal. On the Atlantic side but five locks, or four intermediate levels, are proposed. These locks would in practice no more limit the number of vessels passing through the canal than would the single tide lock on the Pacific end, which is necessary to any even or sea-level route.

Seventeen and a half miles of canal lie between the Pacific and the lake. The distance across the lake is 56 miles, and a dam at the mouth of the San Carlos (a tributary of the San Juan), raising the water level 49 feet, practically extends the lake 63 miles to that point by a channel from 600 to 1,200 feet wide, with an abundant depth of water.

From the mouth of the San Carlos (where the canal will leave the San Juan) to the harbor of Greytown the distance is 36 miles, which it is hoped may by new surveys be shortened 10 miles.

The total canal excavation would thus be from 43½ to 53½ miles, and the lake and river navigation, amounting to 119 miles by the present survey, would be somewhat increased if the new surveys are successful.

From New York to San Francisco by this route for sailing vessels the time is ten days shorter than by the Panama route.

The purely pecuniary prospects of the canal as an investment are subordinate to the great national benefits to accrue from it; but it seems evident that the work, great as its cost may appear, will be a measure of prudent economy and foresight if undertaken simply to afford our own vessels a free waterway, for its far-reaching results will, even within a few years in the life of a nation, amply repay the expenditure by the increase of national prosperity. Further, the canal would unquestionably be immediately remunerative. It offers a shorter sea voyage, with more continuously favoring winds, between the Atlantic ports of America and Europe and the countries of the East than any other practicable route, and with lower tolls, by reason of its lesser cost, the Nicaragua route must be the interoceanic highway for the bulk of the world's trade between the Atlantic and the Pacific.

So strong is this consideration that it offers an abundant guaranty for the investment to be made, as well as for the speedy payment of the loan of four millions which the treaty stipulates shall be made to Nicaragua for the construction of internal improvements to serve as aids to the business of the canal.

I might suggest many other considerations in detail, but it seems unnecessary to do so. Enough has been said to more than justify the practical utility of the measure. I therefore commit it to the Congress in the confident expectation that it will receive approval, and that by appropriate legislation means may be provided for inaugurating the work without delay after the treaty shall have been ratified.

In conclusion I urge the justice of recognizing the aid which has recently been rendered in this matter by some of our citizens. The efforts of certain gentlemen connected with the American company which received the concession from Nicaragua (now terminated and replaced by this international compact) accomplished much of the preliminary labors leading to the conclusion of the treaty.

You may have occasion to examine the matter of their services, when such further information as you may desire will be furnished you.

I may add that the canal can be constructed by the able Engineer Corps of our Army, under their thorough system, cheaper and better than any work of such magnitude can in any other way be built.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 10, 1884.

To the Senate of the United States:

I transmit herewith, for consideration by the Senate with a view to advising and consenting to its ratification, a convention for commercial reciprocity between the United States and Spain, providing for an intimate and favored exchange of products with the islands of Cuba and Puerto Rico, which convention was signed at Madrid on the 18th ultimo.

The negotiations for this convention have been in progress since April last, in pursuance of the understanding reached by the two Governments on the 2d of January, 1884, for the improvement of commercial relations between the United States and the Spanish Antilles, by the eighth article of which both Governments engaged "to begin at once negotiations for a complete treaty of commerce and navigation between the United States of America and the said Provinces of Cuba and Puerto Rico." Although this clause was by common consent omitted from the substitutionary agreement of February 13, 1884 (now in force until replaced by this convention being carried into effect), the obligation to enter upon such a negotiation was deemed to continue. With the best desire manifest on both sides to reach a common accord, the negotiation has been necessarily protracted, owing to the complexity of the details to be incorporated in order that the convention might respond to the national policy of intercourse with the neighboring communities of the American system, which is outlined in my late annual message to the Congress in the following words:

> The conditions of these treaties should be the free admission of such merchandise as this country does not produce, in return for the admission free or under a favored scheme of duties of our own products, the benefits of such exchange to apply only to

goods carried under the flag of the parties to the contract; the removal on both sides from the vessels so privileged of all tonnage dues and national imposts, so that those vessels may ply unhindered between our ports and those of the other contracting parties, though without infringing on the reserved home coasting trade; the removal or reduction of burdens on the exported products of those countries coming within the benefits of the treaties, and the avoidance of the technical restrictions and penalties by which our intercourse with those countries is at present hampered.

A perusal of the convention now submitted will suffice to show how fully it carries out the policy of intercourse thus announced. I commend it to you in the confident expectation that it will receive your sanction.

It does not seem necessary to my present purpose to enter into detailed consideration of the many immediate and prospective advantages which will flow from this convention to our productions and our shipping interests.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 10, 1884.

To the Senate and House of Representatives:

With reference to the recommendations on the subject in my recent annual message, I transmit herewith a report of the Secretary of State of the 9th instant, showing the necessity for immediate legislation for the purpose of bringing the statutes of the United States into conformity with the international regulations for preventing collisions at sea, which have now been adopted by all the leading maritime powers of the world except this country.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 11, 1884.*

To the Senate of the United States:

I transmit herewith to the Senate a communication of this date from the Secretary of State, in relation to the reciprocity treaty recently signed between the United States and Spain.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 16, 1884.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

In compliance with the following resolution, adopted by the House on the 10th instant—

> *Resolved*, That the President be requested to furnish this House, as early as convenient, with the necessary information showing the authority of law for which certain commodores of the Navy have been given the rank of acting rear-admirals when, as is alleged, no vacancy existed to justify such action—

I transmit herewith a communication from the Secretary of the Navy, containing the information called for by the resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, December 17, 1884.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, an agreement signed by Mr. N. D. Comanos, on the part of the United States of America, and Nubar Pasha, on behalf of the Government of the Khedive of Egypt, relative to a commercial and customs-house convention. The agreement is dated November 16, 1884.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *December 22, 1884.*

To the Senate and House of Representatives:

I transmit herewith the supplementary report, dated December 20, 1884, made in pursuance of orders of the Secretary of War and the Secretary of the Navy by the Gun Foundry Board, appointed by me in accordance with the act of Congress approved March 3, 1883.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 5, 1885.*

To the House of Representatives:

In accordance with the provisions of the act making appropriations for the diplomatic and consular service for the year ending June 30, 1883, I transmit herewith a further communication from the Secretary of State in relation to the consular service.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 5, 1885.*

To the House of Representatives:

I transmit herewith, with a recommendation for its favorable consideration, a communication from the Secretary of State, in which he urges the adoption of measures to secure the consul at Buenos Ayres against loss through the dropping of his salary at the last session of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 5, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 2d instant from the Secretary of the Interior, inclosing certain papers in relation to the present condition of the Cheyenne and Arapahoe Indians in the Indian Territory, and recommending that some provision of law be enacted for disarming those and other Indians when such action may be found necessary for their advancement in civilized pursuits, and that means be provided for compensating the Indians for the weapons so taken from or surrendered by them.

The subject is commended to the favorable consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 12, 1885.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, the annual report of Government directors of the Union Pacific Railway Company for the year 1884.

The report accompanies the message to the House of Representatives.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 13, 1885.*

To the Senate:

I transmit herewith a communication from the Secretary of State, respecting the compensation for special electoral messengers to be appointed under the provisions of existing law.

I earnestly invite the attention of Congress to this communication and recommend that an appropriation be made without delay, to be immediately available, for the purposes indicated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 13, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated January 9, 1885, inclosing a copy of one dated January 5, 1885, from Lieutenant-Colonel William P. Craighill, Corps of Engineers, who was charged with the building of the monument at Yorktown, reporting the completion of the monument and recommending that the balance of the appropriation for building the same be used in paying the wages of a watchman and erecting a suitable keeper's dwelling on the site.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 16, 1885.*

To the United States Senate:

I transmit herewith a copy of a letter addressed to the Secretary of War by General W. T. Sherman, under date of January 6, 1885, as called for by resolution of the Senate of January 13, 1885, as follows:

> That the President of the United States be, and he is hereby, requested, if in his opinion it be not incompatible with the public interest, to communicate to the Senate

a historical statement concerning the public policy of the executive department of the Confederate States during the late War of the Rebellion, reported to have been lately filed in the War Department by General William T. Sherman.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 20, 1885.*

To the Senate:

In response to the resolution of the Senate passed December 16, 1884, I transmit herewith a letter of the Secretary of State of the 19th instant, submitting a report containing certain information in the Department of State in relation to the foreign trade of Mexico, Central and South America, the Spanish West Indies, Hayti, and Santo Domingo, and also in relation to the share of the United States to the trade in question.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 23, 1885.*

To the Senate of the United States:

I transmit herewith, in answer to a resolution of the Senate dated January 5, 1885, a report of the Secretary of State and accompanying copies of such treaties and conventions between the United States and foreign powers as are requested by the resolution.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 23, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 20th instant from the Secretary of the Interior, presenting, with accompanying papers, a draft of proposed legislation providing for the settlement of certain claims of Omaha Indians in Nebraska against the Winnebago Indians on account of horses stolen by members of the latter tribe from the Omahas.

The subject is commended to the favorable consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 23, 1885.*

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State of the 22d instant, respecting an estimate of an appropriation to enable the Department of State to cause a preliminary search to be made of the records of the French prize courts from 1792 to 1801, inclusive, to ascertain whether any evidence or documents relating to the claims in question still exist, and, if so, the nature and character thereof; said preliminary search being intended to aid the Department of State to carry out the requirements of section 5 of the act approved January 20, 1885, to provide for the ascertainment of the claims of American citizens for spoliations committed by the French prior to the 31st of July, 1801.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the House of Representatives:

I transmit herewith, as desired by the House resolution of the 9th instant, a report, with accompanying papers, from the Secretary of State, in relation to the arrest and the imprisonment of Thomas R. Monahan by the authorities of Mexico.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the House of Representatives:

I transmit herewith a preliminary report of the Secretary of State of the 26th instant, in response to a resolution of the House of Representatives passed on the 9th day of January, 1885, calling for copies of accounts and vouchers of the disbursing officers of the French and American Claims Commission and certain other information in relation to the transactions of said commission.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the Senate of the United States:

I have carefully considered the provisions of Senate bill No. 862, entitled "An act for the relief of Uriel Crocker."

The general statute provides for relief in case of the destruction of coupon bonds.

In my opinion this provision of law is sufficiently liberal to meet all cases of missing coupon bonds worthy of favorable action, and I do not deem it advisable to encourage this class of legislation.

The bill is not, however, so flagrantly inexpedient as to call for my formal disapproval, and I have allowed it to become a law under the constitutional provision, contenting myself with communicating to the Senate, in which the bill originated, my disapproval of special legislation of this character.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, January 27, 1885.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, an additional article, signed on the 23d of June last, to the treaty of friendship, commerce, and navigation which was concluded between the United States and the Argentine Confederation July 27, 1853.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, concerning the awards made against Venezuela by the mixed commission under the convention of April 25, 1866.

I earnestly invite the attention of Congress to this communication and the accompanying documents.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State and accompanying papers, furnished in response to a resolution of the Senate of May 2, 1884, calling for information relative to the landing of foreign telegraphic cables upon the shores of the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the Senate and House of Representatives:

I have the honor to transmit communications from the Secretary of the Navy, recommending certain action by the Government in recognition of the services, official and personal, extended in Russia to the survivors of the arctic exploring steamer *Jeannette* and to the search parties subsequently sent to Siberia.

The authority of Congress is requested for extending the specific rewards mentioned in the paper accompanying one of the communications of the Secretary. The suggestion concerning the thanks of Congress is also submitted for consideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 27, 1885.*

To the Senate of the United States:

In response to the resolution of the Senate of the 22d instant, setting forth that—

> Whereas the United States, in 1866, acquired from the Creek and Seminole Indians by treaty certain lands situate in the Indian Territory, a portion of which have remained unoccupied until the present time; and
>
> Whereas a widely extended belief exists that such unoccupied lands are public lands of the United States, and as such subject to homestead and preemption settlement, and pursuant to such belief a large number of citizens of the United States

have gone upon them claiming the right to settle and acquire title thereto under the general land laws of the United States; and

Whereas it is understood that the President of the United States does not regard said lands as open to settlement and believes it to be his duty to remove all persons who go upon the same claiming the right to settle thereon, and for that purpose has directed the expulsion of the persons now on said lands by the use of military force, and there seems to be a probability of a conflict growing out of the attempt to expel said persons so claiming right and attempting to settle: Therefore,

Resolved, That the President be requested to advise the Senate as to the status of the lands in question as viewed by the Executive, the action taken, if any, to expel persons seeking to settle thereon, and the reasons for the same, together with any other information in his possession bearing upon the existing controversy—

I have the honor to state that the matter was referred to the Secretaries of War and the Interior and to transmit herewith their respective reports thereon, dated the 26th instant.

The report of the Commissioner of Indian Affairs accompanying that of the Secretary of the Interior recites fully the provisions of the treaties made with the Indian tribes ceding the lands in question to the United States, showing the condition and purposes expressed in said treaties regarding said lands, as well as the action taken with reference thereto, from which it will be seen that they are not open to settlement under any laws of the United States.

The report of the Secretary of War shows the action of the military authorities at the request of the Interior Department under section 2147 of the Revised Statutes.

The status of these lands was considered by my predecessor, President Hayes, who on the 26th day of April, 1879, issued a proclamation* warning all persons intending to go upon said lands without proper permission of the Interior Department that they would be speedily and immediately removed therefrom according to the laws made and provided, and that if necessary the aid and assistance of the military forces of the United States would be invoked to carry into proper execution the laws of the United States referring thereto. A similar proclamation† was issued by President Hayes on the 12th day of February, 1880. On the 1st day of July, 1884, I considered it to be my duty to issue a proclamation‡ of like import.

These several proclamations were at the request of the Secretary of the Interior.

As will be seen by the report of the Secretary of War, the military forces of the United States have been repeatedly employed to remove intruders from the lands in question, and that notwithstanding such removals and in disregard of law and the Executive proclamations a large body of intruders is now within the territory in question, and that an adequate force of troops has been ordered to remove the intruders and is now being concentrated for that purpose.

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* See pp. 4499–4500.

† See pp. 4550–4551.

‡ See pp. 4811–4812.

None of the land or general laws of the United States have been extended over these lands except as to the punishment for crimes and other provisions contained in the intercourse act which relate to trade and the introduction of spirituous liquors and arms among Indians, and do not sanction settlement. It is clear that no authorized settlement can be made by any person in the territory in question.

Until the existing status of these lands shall have been changed by agreement with the Indians interested, or in some other manner as may be determined by Congress, the treaties heretofore made with the Indians should be maintained and the power of the Government to the extent necessary should be exercised to keep off intruders and all unauthorized persons.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 29, 1885.*

To the House of Representatives:

In response to the resolution of the House of Representatives of the 5th of January, 1885, calling for information as to the Kongo conference at Berlin, I transmit herewith a report of the Secretary of State of the 28th instant, in relation to the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 29, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of 27th instant, with inclosures, from the Secretary of the Interior, in relation to objections on the part of the Creek Nation of Indians to pending legislation providing for the opening up to homestead settlement of certain lands in the Indian Territory.

The matter is presented to the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 29, 1885.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives (which was concurred in by the Senate) of January 28, 1885, I return herewith the bill (H. R. 1017) relative to the Inspector-General's Department of the Army.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 30, 1885.*

To the Senate and House of Representatives:

When the expedition for the relief of Lieutenant Greely and his party was being prepared, in the early part of the year 1884, and a search for suitable vessels was being made, the *Alert*, then the property of Great Britain, and which had been the advance ship of the expedition under Sir George Nares, was found to be peculiarly fitted for the intended service, and this Government immediately offered to purchase that vessel, upon which Her Majesty's Government generously presented her to the United States, refusing to accept any pay whatever for the vessel. The *Alert* rendered important and timely service in the expedition for the relief of Lieutenant Greely and party, which in its results proved so satisfactory to the Government and people of this country.

I am of the opinion that the *Alert* should now be returned to Her Majesty's Government, with suitable acknowledgments for its generous and graceful acts of courtesy in so promptly putting the vessel at the service of the United States, and I therefore recommend that authority be given me by Congress to carry out this purpose.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 30, 1885.*

To the House of Representatives:

I transmit herewith, in response to a resolution of the House of Representatives of the 28th of January, 1885, a report by the Secretary of State, in relation to the case of Julio R. Santos, an American citizen imprisoned in Ecuador.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 30, 1885.*

To the Senate and House of Representatives of the United States:

I herewith transmit a communication from the Secretary of State, in regard to the desire of the Government of Korea to obtain the services of one or more officers of the United States as military instructors in that country, and recommend the adoption of a joint resolution authorizing such officers as may be conveniently spared, and who may be selected for that duty, to proceed to Korea for the purpose indicated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1885.*

To the Senate and House of Representatives of the United States:

I transmit herewith to the Senate a communication from the Secretary of State, submitting, at the request of a delegate from the United States to the Third International Conference of the Red Cross, held in September, 1884, a copy of the preliminary report of that conference.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1885.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, the report of the National Board of Health for the year 1884.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 2, 1885.

To the Senate of the United States of America:

With reference to the resolution of the Senate of the 12th of June, 1884, declining to advise and consent to the ratification of an accession of the United States to an international convention for the protection of industrial property, signed at Paris March 20, 1883, I now return the proposed instrument of accession to the Senate for reconsideration in connection with the views and recommendations contained in the accompanying report of the Secretary of State, dated January 29, 1885.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 2, 1885.*

To the House of Representatives:

In response to the resolution of the House of Representatives of January 28, 1885, "that the President be respectfully requested to transmit to this House a copy of the recent appeal of Fitz John Porter, together with the accompanying papers," I transmit herewith a copy of a communication from Fitz John Porter, addressed to the President from Morristown, N. J., under date of October 14, 1884, together with copies of the accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 3, 1885.*

To the Senate and House of Representatives:

I take especial pleasure in laying before Congress the generous offer made by Mrs. Grant to give to the Government, in perpetual trust, the swords and military (and civil) testimonials lately belonging to General Grant. A copy of the deed of trust and of a letter addressed to me by Mr. William H. Vanderbilt, which I transmit herewith, will explain the nature and motives of this offer.

Appreciation of General Grant's achievements and recognition of his just fame have in part taken the shape of numerous mementoes and gifts which, while dear to him, possess for the nation an exceptional interest.

These relics, of great historical value, have passed into the hands of another, whose considerate action has restored the collection to Mrs. Grant as a life trust, on the condition that at the death of General Grant, or sooner, at Mrs. Grant's option, it should become the property of the Government, as set forth in the accompanying papers. In the exercise of the option thus given her Mrs. Grant elects that the trust shall forthwith determine, and asks that the Government designate a suitable place of deposit and a responsible custodian for the collection.

The nature of this gift and the value of the relics which the generosity of a private citizen, joined to the high sense of public regard which animates Mrs. Grant, have thus placed at the disposal of the Government, demand full and signal recognition on behalf of the nation at the hands of its representatives. I therefore ask Congress to take suitable action to accept the trust and to provide for its secure custody, at the same time recording the appreciative gratitude of the people of the United States to the donors.

In this connection I may pertinently advert to the pending legislation of the Senate and House of Representatives looking to a national recognition of General Grant's eminent services by providing the means for his restoration to the Army on the retired list. That Congress, by taking such action, will give expression to the almost universal desire of the people of this nation is evident, and I earnestly urge the passage of an act similar to Senate bill No. 2530, which, while not interfering with the constitutional prerogative of appointment, will enable the President in his discretion to nominate General Grant as general upon the retired list.

CHESTER A. ARTHUR.

DEED OF TRUST.

Whereas I, William H. Vanderbilt, of the city of New York, by virtue of a sale made under a judgment in a suit to foreclose a chattel mortgage in the supreme court of this State, in which I was plaintiff and Ulysses S. Grant defendant, which judgment was entered on the 6th day of December, 1884, and under an execution in another suit in said court between the same parties upon a judgment entered December 9, 1884, have become the owner of the property and the articles described in the schedule hereto annexed, formerly the property of Ulysses S. Grant:

Now, therefore, to carry out a purpose formed by me, and in consideration of $1 to me paid, I do hereby transfer and convey each and every one of the articles mentioned and itemized in the said schedule to Julia Dent Grant, to have and hold the same to her, her executors and administrators, upon the trust and agreement, nevertheless, hereby accepted and made by her, that on the death of the said Ulysses S. Grant, or previously thereto, at her or their option, the same shall become and be the property of the nation and shall be taken to Washington and transferred and conveyed by her and them to the United States of America.

In witness whereof the said William H. Vanderbilt and Julia Dent Grant have executed these presents, this 10th day of January, A. D. 1885.

Sealed and delivered in presence of—

W. H. VANDERBILT.
JULIA DENT GRANT.

Schedule of swords and medals, paintings, bronzes, portraits, commissions and addresses, and objects of value and art presented by various governments in the world to General Ulysses S. Grant.

Mexican onyx cabinet, presented to General Grant by the people of Puebla, Mexico.

Aerolite, part of which passed over Mexico in 1871.

Bronze vases, presented to General Grant by the Japanese citizens of Yokohama, Japan.

Marble bust and pedestal, presented by workingmen of Philadelphia.

General Grant and family, painted by Coggswell.

Large elephant tusks, presented by the King of Siam.

Small elephant tusks, from the Maharajah of Johore.

Picture of General Scott, by Page, presented by gentlemen of New York.

Crackleware bowls (very old), presented by Prince Koon, of China.

Cloisonné jars (old), presented by Li Hung Chang.

Chinese porcelain jars (old), presented by Prince Koon, of China.

Arabian Bible.

Coptic Bible, presented by Lord Napier, who captured it with King Theodore, of Abyssinia.

Sporting rifle.

Sword of Donelson, presented to General Grant after the fall of Fort Donelson, by officers of the Army, and used by him until the end of the war.

New York sword, voted to General Grant by the citizens of New York at the fair held in New York.

Sword of Chattanooga, presented to General Grant by the citizens of Jo Daviess County, Ill. (Galena), after the battle of Chattanooga.

Roman mug and pitcher.

Silver menu and card, farewell dinner of San Francisco, Cal.

Silver menu of Paris dinner.

Horn and silver snuff box.

Silver match box, used by General Grant.

Gold table, modeled after the table in Mr. McLean's house on which General R. E. Lee signed the articles of surrender. This was presented to General Grant by ex-Confederate soldiers.

Gold cigar case (enameled), presented by the Celestial King of Siam.

Gold cigar case (plain), presented by the Second King of Siam.

Gold-handled knife, presented by miners of Idaho Territory.

Nine pieces of jade stone, presented by Prince Koon, of China.

Silver trowel, used by General Grant in laying the corner stone of the American Museum of Natural History, New York.

Knife, made at Sheffield for General Grant.

Gold pen, General Grant's.

Embroidered picture (cock and hen), presented to General Grant by citizens of Japan.

Field glasses, used by General Grant during the war.

Iron-headed cane, made from the rebel ram *Merrimac*.

Silver-headed cane, made from wood used in the defense of Fort Sumter.

Gold-headed cane, made out of wood from old Fort Du Quesne, Pa.

Gold-headed cane, presented to General Grant as a tribute of regard for his humane treatment of the soldiers and kind consideration of those who ministered to the sick and wounded during the war.

Gold-headed cane, used by General Lafayette, and presented to General Grant by the ladies of Baltimore, Md.

Carved wood cane, from the estate of Sir Walter Scott.

Uniform as general of the United States Army.

Fifteen buttons, cut from the coats during the war by Mrs. Grant after the different battles.

Hat ornament, used at Belmont.

Hat ornament, used at Fort Donelson.

Shoulder straps (brigadier-general), worn by General Grant at Belmont, Fort Donelson, and Shiloh.

Shoulder straps (lieutenant-general), cut from the coat used by General Grant in the campaigns against Richmond and Petersburg and Lee's army.

Shoulder straps (lieutenant-general), cut from General Grant's coat.

Pair of shoulder straps (general), cut from a coat General Grant used after the war.

Medal from the American Congress (gold) for opening the Mississippi.

Gold medal, from Philadelphia.

Twenty-one medals (gold, silver, and bronze), badges of armies and corps.

Ten medals (silver and bronze), sent to General Grant at different times.

Fourteen medals (bronze), in memory of events.

Silk paper (Louisville Commercial), printed for General Grant.

Silk paper (Daily Chronicle), printed for General Grant.

Silk paper (Burlington Hawkeye), printed for General Grant.

Collection of coin (Japanese). This is the only complete set, except one which is in the Japanese treasury. Seven of these pieces cost $5,000. This set was presented by the Government of Japan.

Warrant as cadet at West Point.

Commission, brevet second lieutenant (missing).

Commission, second lieutenant (missing).

Commission, brevet first lieutenant (missing).

Commission as first lieutenant, United States Army.

Commission as brevet captain, United States Army.

Commission as captain, United States Army.

Commission as colonel of volunteers.

Commission as brigadier-general.

Commission as major-general.

Commission as major-general, United States Army.

Commission as lieutenant-general, United States Army.

Commission as general, United States Army.

Commission as honorary member of M. L. A., San Francisco.

Commission as member of Sacramento Society of Pioneers.

Commission as honorary member Royal Historical Society.

Commission as Military Order of Loyal Legion.

Commission as member of the Aztec Club.

Certificate of election President of the United States.

Certificate of reelection President of the United States.

Certificate of honorary membership Territorial Pioneers of California.

Certificate of honorary membership St. Andrew's Society.

Certificate of election LL. D., Harvard College.

Certificate of election honorary membership of the Sacramento Society.

Certificate of Pioneers of California.

Certificate of election honorary member Mercantile Library, San Francisco.

Freedom of the city of Dublin, Ireland.

Freedom of the city of Stratford-on-Avon.

Freedom of the city of London, England.

Freedom of the city of Glasgow, Scotland.

Freedom of the city of Edinburgh, Scotland.

Freedom of the city of Ayr, Scotland.

Freedom of the burgh of Inverness, Scotland.

Freedom of the city of Oakland, America.

Freedom of the city of San Francisco, America.

Freedom of the city of Londonderry, Ireland.

The freedom of many other cities.

Address to General Grant from the Chamber of Commerce, Newcastle-upon-Tyne, 1877.

Address to General Grant from the mayor, aldermen, and citizens of the city of Manchester, England, May 13, 1877.

Address to General Grant by the workingmen of Birmingham, England, October 16, 1877.

Address to General Grant from the Chamber of Commerce and Board of Trade, San Francisco, Cal., September, 1879.

Address to General Grant by mayor, aldermen, and burgesses of the borough of Gateshead, England.

Address to General Grant by the mayor, aldermen, magistrates, aldermen, and councilors of the borough of Leicester, England.

Address to General Grant by the Americans of Shanghai, China, May 19, 1879.

Address to General Grant by the Calumet Club, of Chicago, Ill.

Address to General Grant from the Society of Friends in Great Britain.

Address to General Grant from Chamber of Commerce of Penang.

Address to General Grant by the mayor, aldermen, and burgesses of the borough of Southampton, England.

Address to General Grant by the provost, magistrates, and town council of the royal borough of Stirling.

Address to General Grant by the mayor, aldermen, and burgesses of Tynemouth, England.

Address to General Grant by the mayor and town council of Sunderland.

Address to General Grant by the trade and friendly societies of Sunderland.

Address to General Grant by the public schools of Louisville, Ky.

Address to General Grant by the colored men of Louisville, Ky.

Address to General Grant by ex-Confederate soldiers.

Address to General Grant by the State of Louisiana.

Address to General Grant by the Chamber of Commerce and Board of Trade of San Francisco, Cal.

Address to General Grant by the British workmen of London, England.

Address to General Grant by the North Shields Shipowners' Society, England.

Address to General Grant by the Chamber of Commerce, Sheffield, England.

Address to General Grant from mayor, aldermen, and burgesses of borough of Royal Leamington Spa, England.

Address to General Grant by the mayor, aldermen, and burgesses of Sheffield, England.

Address to General Grant by wardens, etc., and commonalty of the town of Sheffield, England.

Address to General Grant from the provost, magistrates, and town council of the city and royal burgh of Elgin, Scotland.

Address to General Grant from the mayor, aldermen, and burgesses of the borough of Folkestone, England.

Address to General Grant by the mayor, aldermen, and burgesses of the borough of Jarrow, England.

Address to General Grant by the mayor, aldermen, and burgesses of Gateshead, England.

Address to General Grant from the Carpenters' Company.

Address to General Grant from the citizens of Cincinnati, congratulating him on his second election as President of the United States.

Address to General Grant from the citizens of Nagasaki, Japan.

Resolutions of the Territorial Pioneers, admitting General Grant to membership.

Resolution of the Caledonian Club, of San Francisco, enrolling General Grant as an honorary member.

Resolutions of the citizens of Jo Daviess County, presenting a sword to General Grant (sword of Chattanooga).

Resolutions of the Washington Camp, of Brooklyn, Long Island.

First resolutions of thanks of the Congress of the United States.

First resolutions inviting General Grant to visit the house of representatives of the Commonwealth of Pennsylvania.

Second resolutions of thanks from the Congress of the United States.

Letter from citizens of Jersey City thanking General Grant for his Des Moines, Iowa, speech on the question of public schools.

Presentation of a silver medal by the Union League Club, of Philadelphia, for gallantry and distinguished services.

Vote of thanks by Congress to General U. S. Grant, etc.

Other resolutions, addresses, votes of thanks, and freedom of cities.

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640 FIFTH AVENUE, *January 20, 1885*.

His Excellency CHESTER A. ARTHUR,
President of the United States.

DEAR SIR: I purchased the articles of historical interest belonging to General Grant and gave them to Mrs. Grant in trust to hold during the lifetime of the General, and at his death, or sooner, at her option, they to become the property of the Government. They consist of his swords, memorials of his victories from the United States, States, and cities, and tributes to his fame and achievements from governments all over the world. In their proper place at Washington they will always be secure and will afford pleasure and instruction to succeeding generations. This trust has been accepted by Mrs. Grant, and the disposition of the articles is in conformity to the wishes of the General. I transmit to you herewith the deed of trust. Mrs. Grant informs me that she prefers to close the trust at once and send the memorials to Washington. May I ask, therefore, that you will designate some official, representing the proper Department, to receive them, and direct him to notify Mrs. Grant of the arrangements necessary to perfect the transfer and deposit in such of the Government buildings as may be most suitable?

Yours, respectfully, W. H. VANDERBILT.

EXECUTIVE MANSION, *February 5, 1885*.

To the Senate and House of Representatives of the United States:

I herewith transmit a communication from the Secretary of State, relative to the Japanese Government's offer to donate a valuable piece of land to the United States in fee simple for legation purposes, and earnestly recommend that the Executive may be immediately authorized to accept the gift in the name of the United States and to tender to his Imperial Japanese Majesty's Government a suitable expression of this Government's thanks for the generosity which prompted the presentation of so desirable a site of ground.

I deem it unnecessary to enlarge upon the statement of the Secretary of State. I feel certain, however, that a perusal of his communication will at once commend itself to the favorable attention of Congress, and doubt not that the necessary authorization of Congress will be immediately given for the acceptance of the gift, as well as insure early action looking to the erection on the premises of suitable public buildings for the use of the legation of the United States at Tokyo. This step can not but be favorable to the United States in every honorable way, while the disinterested motives of a friendly foreign government deserve from us a proper and just recognition.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 11, 1885.*

To the Senate and House of Representatives:

In compliance with the act of Congress approved January 16, 1883, entitled "An act to regulate and improve the civil service of the United States," the Civil Service Commission has made to the President its second annual report.

That report is herewith transmitted.

The Commission is in the second year of its existence. The President congratulates the country upon the success of its labors, commends the subject to the favorable consideration of Congress, and asks for an appropriation to continue the work.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 12, 1885.*

To the Senate and House of Representatives:

I transmit herewith a copy of the report of the board of management of the World's Industrial and Cotton Centennial Exposition, dated February 2, 1885, requesting an additional appropriation to extinguish a deficit in its accounts, and asking authority to reopen the exhibition during the winter of 1885–86.

A failure on the part of the management to carry out the original intent in regard to the exposition might reflect upon the honor of the United States Government, since twenty-one foreign nations and forty-six States and Territories have joined in the enterprise through faith in the sanction of the Government. In view of this fact and in consideration of the value of the exposition to the cause of material progress and general education, I respectfully submit the report mentioned for the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 13, 1885.*

To the Senate and House of Representatives:

I herewith transmit, as desired by the act of Congress approved July 7, 1884, a letter from the Secretary of State, with accompanying report from the Central and South American commissioners.

CHESTER A. ARTHUR

EXECUTIVE MANSION, *February 17, 1885.*

To the House of Representatives:

In response to the resolution of the House of Representatives of the 9th of January, 1885, calling for certain correspondence concerning the transactions of the late French and American Commission, I transmit herewith a report of the Secretary of State of the 16th instant, in relation to the subject.

CHESTER A. ARTHUR.

WASHINGTON, *February 17, 1885.*

To the Senate of the United States:

Referring your honorable body to the message of December 1, 1884, by which I transmitted to the Senate, with a view to ratification, a treaty negotiated with Belgium touching the succession to and acquirement of real property, etc., by the citizens or subjects of the one Government in the domain of the other, I now address you in order to recall the treaty thus transmitted for reexamination.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 17, 1885.*

To the Senate of the United States:

Referring to my message of the 13th instant, concerning the report of the Central and South American commissioners, I have the honor to inform the Senate that the report therein stated as accompanying the message was transmitted with a like message to the House of Representatives.

A note of explanation to this effect was inadvertently omitted from the former message.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 19, 1885.*

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State of the 19th instant, recommending the enactment of a law for the protection of submarine cables in pursuance of our treaty obligations under the international convention in relation to the subject signed at Paris on the 14th day of March, 1884.

I commend the matter to the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 19, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill "to accept and ratify an agreement with the confederated tribes and bands of Indians occupying the Yakima Reservation in the Territory of Washington for the extinguishment of their title to so much of said reservation as is required for the use of the Northern Pacific Railroad, and to make the necessary appropriation for carrying out the same."

The matter is presented for the consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 19, 1885.*

To the House of Representatives:

I transmit herewith, in response to a resolution of the House of Representatives of the 5th instant, requesting copies of all the communications which have been received respecting the Kongo conference, and especially copies of the text of the commissions or powers sent by this Government to each of the three American plenipotentiaries or agents, a report of the Secretary of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 19, 1885.*

To the House of Representatives:

With reference to my communication of the 27th ultimo, transmitting to the House of Representatives a preliminary report of the Secretary of State, dated the 26th of January, 1885, in response to the resolution of the House of the 9th of January, 1885, calling for copies of the accounts and vouchers of the disbursing officers of the French-American Claims Commission and containing other information in relation to the transactions of said commission, I now transmit herewith a further report on the subject by the Secretary of State, dated the 17th instant, which is accompanied by the desired copies of the accounts and vouchers in question.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 25, 1885.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 13th instant, requesting me to inform that body, if not incompatible with the public interest, what were the reasons which moved me to appoint commissioners to examine and report upon the California and Oregon Railroad from Reading northwardly, I transmit herewith a communication on that subject addressed to me on the 24th instant by the Secretary of the Interior, setting forth the practice under which my action was taken.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 26, 1885.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a provisional article of agreement modifying the latter clause of Article XXVI of the pending commercial treaty between the United States and Spain, concluded November 18, 1884, so as to extend the time for the approval of the laws necessary to carry the said treaty into operation if ratified.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, D. C., February 26, 1885.

To the Senate of the United States:

I herewith transmit, for the consideration of the Senate with a view to ratification, an additional article, signed by the Secretary of State and the minister of Mexico here, on behalf of their respective Governments, the 25th instant, providing for the extension of the time for the approval of the necessary legislation in order to carry into effect the commercial reciprocity treaty between the United States and Mexico of January 20, 1883.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 28, 1885.

To the Senate of the United States:

Referring to my message to the Senate of the 25th instant, by which I transmitted, with a view to ratification, an additional article to the commercial treaty with Spain concluded November 18, 1884, I now have the honor to request the return of that instrument.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, March 2, 1885.

To the Senate of the United States:

I herewith transmit to the Senate, with a view to examination and sanction by that body, a treaty signed in this city to-day by the Secretary of State and the Spanish minister, consisting of four supplementary articles amendatory of the commercial treaty of November 18, 1884, between the United States and Spain, which is now pending in the Senate. The accompanying report of the Secretary of State recites the particulars of the modifications which have been made in deference to the representations made on behalf of important commercial interests of the United States, whereby it is believed all well-founded objections on their part to the ratification of that treaty are obviated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 2, 1885.*

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate with a view to its ratification, a convention concluded February 20, 1885, between the United States of America and the United States of Mexico, for the extradition of criminals. A report of the Secretary of State, touching the negotiation of the convention, is also transmitted.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 3, 1885.*

To the Senate of the United States:

I nominate Ulysses S. Grant, formerly commanding the armies of the United States, to be general on the retired list of the Army, with the full pay of such rank.

CHESTER A. ARTHUR.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the treaty concluded between the United States of America and Her Majesty the Queen of Great Britain and Ireland, concluded at Washington on the 8th day of May, 1871, contains among other articles the following, viz:

ARTICLE XVIII.

It is agreed by the high contracting parties that, in addition to the liberty secured to the United States fishermen by the convention between the United States and Great Britain signed at London on the 20th day of October, 1818, of taking, curing, and drying fish on certain coasts of the British North American colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of Her Britannic Majesty, the liberty, for the term of years mentioned in Article XXXIII of this treaty, to take fish of every kind, except shellfish, on the seacoasts and shores and in the bays, harbors, and creeks of the Provinces of Quebec, Nova Scotia, and New Brunswick, and the colony of Prince Edwards Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish; provided that in so doing they do not interfere with the rights of private property or with British fishermen in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

It is understood that the above-mentioned liberty applies solely to the sea fishery, and that the salmon and shad fisheries, and all other fisheries in rivers and the mouths of rivers, are hereby reserved exclusively for British fishermen.

ARTICLE XIX.

It is agreed by the high contracting parties that British subjects shall have, in common with the citizens of the United States, the liberty, for the term of years mentioned in Article XXXIII of this treaty, to take fish of every kind, except shellfish, on the eastern seacoasts and shores of the United States north of the thirty-ninth parallel of north latitude, and on the shores of the several islands thereunto adjacent, and in the bays, harbors, and creeks of the said seacoasts and shores of the United States and of the said islands, without being restricted to any distance from the shore, with permission to land upon the said coasts of the United States and of the islands aforesaid, for the purpose of drying their nets and curing their fish; provided that in so doing they do not interfere with the rights of private property or with the fishermen of the United States in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

It is understood that the above-mentioned liberty applies solely to the sea fishery; and that salmon and shad fisheries, and all other fisheries in rivers and mouths of rivers, are hereby reserved exclusively for fishermen of the United States.

ARTICLE XX.

It is agreed that the places designated by the commissioners appointed under the first article of the treaty between the United States and Great Britain concluded at Washington on the 5th of June, 1854, upon the coasts of Her Britannic Majesty's dominions and the United States, as places reserved from the common right of fishing under that treaty, shall be regarded as in like manner reserved from the common right of fishing under the preceding articles. In case any question should arise between the Governments of the United States and of Her Britannic Majesty as to the common right of fishing in places not thus designated as reserved, it is agreed that a commission shall be appointed to designate such places, and shall be constituted in the same manner and have the same powers, duties, and authority as the commission appointed under the said first article of the treaty of the 5th of June, 1854.

ARTICLE XXI.

It is agreed that for the term of years mentioned in Article XXXIII of this treaty fish oil and fish of all kinds (except fish of the inland lakes and of the rivers falling into them, and except fish preserved in oil), being the produce of the fisheries of the United States, or of the Dominion of Canada, or of Prince Edwards Island, shall be admitted into each country, respectively, free of duty.

ARTICLE XXII.

Inasmuch as it is asserted by the Government of Her Britannic Majesty that the privileges accorded to the citizens of the United States under Article XVIII of this treaty are of greater value than those accorded by Articles XIX and XXI of this treaty to the subjects of Her Britannic Majesty, and this assertion is not admitted by the Government of the United States, it is further agreed that commissioners shall be appointed to determine, having regard to the privileges accorded by the United States to the subjects of Her Britannic Majesty, as stated in Articles XIX and XXI of this treaty, the amount of any compensation which in their opinion ought to be paid by the Government of the United States to the Government of Her Britannic Majesty in return for the privileges accorded to the citizens of the United States under Article XVIII of this treaty; and that any sum of money which the said commissioners may so award shall be paid by the United States Government, in a gross sum, within twelve months after such award shall have been given.

ARTICLE XXIII.

The commissioners referred to in the preceding article shall be appointed in the following manner; that is to say: One commissioner shall be named by the President of the United States, one by Her Britannic Majesty, and a third by the President of the United States and Her Britannic Majesty conjointly; and in case the third commissioner shall not have been so named within a period of three months from the date when this article shall take effect, then the third commissioner shall be named by the representative at London of His Majesty the Emperor of Austria and King of Hungary. In case of the death, absence, or incapacity of any commissioner, or in the event of any commissioner omitting or ceasing to act, the vacancy shall be filled in the manner hereinbefore provided for making the original appointment, the period of three months in case of such substitution being calculated from the date of the happening of the vacancy.

The commissioners so named shall meet in the city of Halifax, in the Province of Nova Scotia, at the earliest convenient period after they have been respectively named, and shall before proceeding to any business make and subscribe a solemn declaration that they will impartially and carefully examine and decide the matters referred to them to the best of their judgment and according to justice and equity; and such declaration shall be entered on the record of their proceedings.

Each of the high contracting parties shall also name one person to attend the commission as its agent, to represent it generally in all matters connected with the commission.

ARTICLE XXIV.

The proceedings shall be conducted in such order as the commissioners appointed under Articles XXII and XXIII of this treaty shall determine. They shall be bound to receive such oral or written testimony as either Government may present. If either party shall offer oral testimony, the other party shall have the right of cross-examination, under such rules as the commissioners shall prescribe.

If in the case submitted to the commissioners either party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof; and either party may call upon the other, through the commissioners, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the commissioners may require.

The case on either side shall be closed within a period of six months from the date of the organization of the commission, and the commissioners shall be requested to give their award as soon as possible thereafter. The aforesaid period of six months may be extended for three months in case of a vacancy occurring among the commissioners under the circumstances contemplated in Article XXIII of this treaty.

ARTICLE XXV.

The commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and may appoint and employ a secretary and any other necessary officer or officers to assist them in the transaction of the business which may come before them.

Each of the high contracting parties shall pay its own commissioner and agent or counsel; all other expenses shall be defrayed by the two Governments in equal moieties.

ARTICLE XXX.

It is agreed that for the term of years mentioned in Article XXXIII of this treaty subjects of Her Britannic Majesty may carry in British vessels, without payment of duty, goods, wares, or merchandise from one port or place within the territory of the United States upon the St. Lawrence, the Great Lakes, and the rivers connecting the same, to another port or place within the territory of the United States as aforesaid: *Provided*, That a portion of such transportation is made through the Dominion of Canada by land carriage and in bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of the United States.

Citizens of the United States may for the like period carry in United States vessels, without payment of duty, goods, wares, or merchandise from one port or place within the possessions of Her Britannic Majesty in North America to another port or place within the said possessions: *Provided*, That a portion of such transportation is made through the territory of the United States by land carriage and in bond, under such rules and regulations as may be agreed upon between the Government of the United States and the Government of Her Britannic Majesty.

The Government of the United States further engages not to impose any export duties on goods, wares, or merchandise carried under this article through the territory of the United States; and Her Majesty's Government engages to urge the parliament of the Dominion of Canada and the legislatures of the other colonies not to impose any export duties on goods, wares, or merchandise carried under this article; and the Government of the United States may, in case such export duties are imposed by the Dominion of Canada, suspend during the period that such duties are imposed the right of carrying granted under this article in favor of the subjects of Her Britannic Majesty.

The Government of the United States may suspend the right of carrying granted in favor of the subjects of Her Britannic Majesty under this article in case the Dominion of Canada should at any time deprive the citizens of the United States of the use of the canals in the said Dominion on terms of equality with the inhabitants of the Dominion, as provided in Article XXVII.

ARTICLE XXXII

It is further agreed that the provisions and stipulations of Articles XVIII to XXV of this treaty, inclusive, shall extend to the colony of Newfoundland, so far as they are applicable. But if the Imperial Parliament, the legislature of Newfoundland, or the Congress of the United States shall not embrace the colony of Newfoundland in their laws enacted for carrying the foregoing articles into effect, then this article shall be of no effect; but the omission to make provision by law to give it effect by either of the legislative bodies aforesaid shall not in any way impair any other articles of this treaty.

And whereas, pursuant to the provisions of Article XXXIII of said treaty, due notice has been given to the Government of Her Britannic Majesty of the intention of the Government of the United States of America to terminate the above-recited articles of the treaty in question on the 1st day of July, 1885; and

Whereas, pursuant to the terms of said treaty and of the notice given thereunder by the Government of the United States of America to that of Her Britannic Majesty, the above-recited articles of the treaty of Washington, concluded May 8, 1871, will expire and terminate on the 1st day of July, 1885:

Now, therefore, I, Chester A. Arthur, President of the United States of America, do hereby give public notice that Articles XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXX, and XXXII of the treaty of Washington, concluded May 8, 1871, will expire and terminate on the 1st day of July, 1885, and all citizens of the United States are hereby warned that none of the privileges secured by the above-recited articles of the treaty in question will exist after the 1st day of July next. All American fishermen should govern themselves accordingly.

Done at the city of Washington, this 31st day of January, A. D. 1885, and of the Independence of the United States of America the one hundred and ninth.

[SEAL.]

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been received by me that upon vessels of the United States arriving in ports of the Province of Ontario, in the Dominion of Canada, or arriving at any port in the island of Monserrat, in the West Indies, or at Panama or Aspinwall, United States of Colombia, or at the ports of San Juan and Mayaguez, in the island of Puerto Rico, no duty is imposed by the ton as tonnage tax or as light money, and that no other equivalent tax on vessels of the United States is imposed at said ports by the governments to which said ports are immediately subject; and

Whereas by the provisions of section 14 of an act approved June 26, 1884, "to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," the President of the United States is authorized to suspend the collection in ports of the United States from vessels arriving from any port in the Dominion of Canada, Newfoundland, the Bahama Islands, the Bermuda Islands, the West India Islands, Mexico, and Central America down to and including Aspinwall and Panama of so much of the duty at the rate of 3 cents per ton as may be in excess of the tonnage and light-house dues, or other equivalent tax or taxes, imposed on American vessels by the government of the foreign country in which such port is situated:

Now, therefore, I, Chester A. Arthur, President of the United States of America, by virtue of the authority vested in me by the act and section hereinbefore mentioned, do hereby declare and proclaim that on and after the first Tuesday in February, 1885, the collection of said tonnage duty of 3 cents per ton shall be suspended as regards all vessels arriving in any port of the United States from any port in the Province of Ontario, in the Dominion of Canada, or from a port in the island of Monserrat, in the West Indies, or from the ports of Panama and Aspinwall, or the ports of San Juan and Mayaguez, in the island of Puerto Rico.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of January, 1885, and of the Independence of the United States of America the one hundred and ninth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been received by me that upon vessels of the United States arriving at the port of San Juan del Norte (Greytown), Nicaragua, no duty is imposed by the ton as tonnage tax or as light money, and that no other equivalent tax on vessels of the United States is imposed at said port by the Government of Nicaragua; and

Whereas, by the provisions of section 14 of an act approved June 26, 1884, "to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," the President of the United States is authorized to suspend the collection in ports of the United States from vessels arriving from any port in the Dominion of Canada, Newfoundland, the Bahama Islands, the Bermuda Islands, the West India Islands, Mexico, and Central America down to and including Aspinwall and Panama of so much of the duty at the rate of 3 cents per ton as may be in excess of the tonnage and light-house dues, or other equivalent tax or taxes, imposed on American vessels by the government of the foreign country in which such port is situated:

Now, therefore, I, Chester A. Arthur, President of the United States of America, by virtue of the authority vested in me by the act and section hereinbefore mentioned, do hereby declare and proclaim that on and after the first Tuesday in March, 1885, the collection of said tonnage duty of 3 cents per ton shall be suspended as regards all vessels arriving in any port of the United States from the port of San Juan del Norte (Greytown), Nicaragua.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 26th day of February, 1885, and of the Independence of the United States of America the one hundred and ninth.

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at 12 o'clock on the 4th day of March next to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Chester A. Arthur, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 4th day of March next, at 12 o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the 27th day of February, A. D. 1885, and of the Independence of the United States of America the one hundred and ninth.

[SEAL.]

CHESTER A. ARTHUR.

By the President:

FREDK. T. FRELINGHUYSEN, *Secretary of State.*

EXECUTIVE ORDERS.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are hereby amended and promulgated, as follows:

RULE V.

There shall be three branches of the service classified under the civil-service act (not including laborers or workmen or officers required to be confirmed by the Senate), as follows:

1. Those classified in the Departments at Washington shall be designated "The classified departmental service."

2. Those classified under any collector, naval officer, surveyor, or appraiser in any customs district shall be designated "The classified customs service."

3. Those classified under any postmaster at any post-office, including that at Washington, shall be designated "The classified postal service."

4. The classified customs service shall embrace the several customs districts where the officials are as many as fifty, now the following: New York City, N. Y.; Boston, Mass.; Philadelphia, Pa.; San Francisco, Cal.; Baltimore, Md.; New Orleans, La.; Chicago, Ill.; Burlington, Vt.; Portland, Me.; Detroit, Mich.; Port Huron, Mich.

5. The classified postal service shall embrace the several post-offices where the officials are as many as fifty, now the following: Albany, N. Y.; Baltimore, Md.; Boston, Mass.; Brooklyn, N. Y.; Buffalo, N. Y.; Chicago, Ill.; Cincinnati, Ohio; Cleveland,

Ohio; Detroit, Mich.; Indianapolis, Ind.; Jersey City, N. J.; Kansas City, Mo.; Louisville, Ky.; Milwaukee, Wis.; Minneapolis, Minn.; Newark, N. J.; New Orleans, La.; New York City, N. Y.; Philadelphia, Pa.; Pittsburg, Pa.; Providence, R. I.; Rochester, N. Y.; St. Louis, Mo.; St. Paul, Minn.; San Francisco, Cal.; Washington, D. C.

RULE VII.

1. The general examinations under the first clause of Rule VI for admission to the service shall be limited to the following subjects: (1) Orthography, penmanship, and copying; (2) arithmetic—fundamental rules, fractions, and percentage; (3) interest, discount, and elements of bookkeeping and of accounts; (4) elements of the English language, letter writing, and the proper construction of sentences; (5) elements of the geography, history, and government of the United States.

2. Proficiency in any subject upon which an examination shall be held shall be credited in grading the standing of the persons examined in proportion to the value of a knowledge of such subject in the branch or part of the service which the applicant seeks to enter.

3. No one shall be entitled to be certified for appointment whose standing upon a just grading in the general examination shall be less than 65 per cent of complete proficiency in the first three subjects mentioned in this rule, and that measure of proficiency shall be deemed adequate.

4. For places in which a lower degree of education will suffice the Commission may limit the examinations to less than the five subjects above mentioned; but no person shall be certified for appointment under this clause whose grading shall be less than an average of 65 per cent on such of the first three subjects or parts thereof as the examination may embrace.

5. The Commission may also order examinations upon other subjects of a technical or special character to test the capacity which may be needed in any part of the classified service which requires peculiar information or skill. Examinations hereunder may be competitive or noncompetitive, and the maximum limitations of age contained in the twelfth rule shall not apply to applicants for the same. The application for and notice of these special examinations, the records thereof, and the certification of those found competent shall be such as the Commission may provide for. After consulting the head of any Department or office the Commission may from time to time designate, subject to the approval of the President, the positions therein for which applicants may be required to pass the special examination.

RULE XI.

1. Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subjects: (1) Full name, residence, and post-office address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) right of preference by reason of military or naval service; (7) previous employment in the public service; (8) business or employment and residence for the previous five years; (9) education. Such other information shall be furnished as the Commission may reasonably require touching the applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section 8 of the civil-service act, which is as follows:

"That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable."

No person dismissed from the public service for misconduct shall be admitted to examination within two years thereafter.

2. No person under enlistment in the Army or Navy of the United States shall be

examined under these rules except for some place in the Department under which he is enlisted requiring special qualifications, and with the consent in writing of the head of such Department.

3. The Commission may by regulations, subject to change at any time by the President, declare the kind and measure of ill health, physical incapacity, misrepresentation, and bad faith which may properly exclude any person from the right of examination, grading, or certification under these rules. It may also provide for medical certificates of physical capacity in the following cases, and for the appropriate certification of persons so defective in sight, speech, hearing, or otherwise as to be apparently disqualified for some of the duties of the part of the service which they seek to enter.

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to any right of preference and to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy. But if a person is on both a general and special register he need be certified from the former only, at the discretion of the Commission, until he has remained two months upon the latter.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, persons of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. No person upon any register shall be certified more than four times to the same officer in the customs or postal service or more than twice to any Department at Washington, unless upon request of the appointing officer; nor shall anyone remain eligible more than one year upon any register; but these restrictions shall not extend to examinations under clause 5 of Rule VII. No person while remaining eligible on any register shall be admitted to a new examination, and no person having failed upon any examination shall within six months thereafter be admitted to another examination without the consent of the Commission.

5. Any person appointed to or employed in any part of the classified service, after due certification for the same under these rules, who shall be dismissed or separated therefrom without cause or delinquency on his part may be reappointed or reemployed in the same part or grade of such service at the same office, within eight months next following such dismissal or separation, without further examination.

RULE XVII.

1. Every original appointment or employment in said classified service shall be for the probationary period of six months, at the end of which time, if the conduct and capacity of the person appointed have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise be deemed out of the service.

2. Every officer under whom any probationer shall serve during any part of the probation provided for by these rules shall carefully observe the quality and value of the service rendered by such probationer, and shall report to the proper appointing officer, in writing, the facts observed by him, showing the character and qualifications of such probationer and of the service performed by him; and such report shall be preserved on file.

3. Every false statement knowingly made by any person in his application for

examination, and every connivance by him at any false statement made in any certificate which may accompany his application, and every deception or fraud practiced by him or by any person in his behalf and with his knowledge to influence his examination, certification, or appointment, shall be regarded as good cause for the removal or discharge of such person during his probation or thereafter.

RULE XXI.

1. No person, unless excepted under Rule XIX, shall be admitted into the classified civil service from any place not within said service without an examination and certification under the rules; nor shall any person who has passed only a limited examination under clause 4 of Rule VII for the lower classes or grades in the departmental or customs service be appointed, or be promoted within two years after appointment, to any position giving a salary of $1,000 or upward without first passing an examination under clause 1 of said rule; and such examination shall not be allowed within the first year after appointment.

2. But a person who has passed the examination under said clause 1 and has accepted a position giving a salary of $900 or less shall have the same right of promotion as if originally appointed to a position giving a salary of $1,000 or more.

3. The Commission may at any time certify for a $900 or any lower place in the classified service any person upon the register who has passed the examination under clause 1 of Rule VII, if such person does not object before such certification is made.

RULE XXII.

Any person who has been in the classified departmental service for one year or more immediately previous may, when the needs of the service require it, be transferred or appointed to any other place therein upon producing a certificate from the Civil Service Commission that such person has passed at the required grade one or more examinations which are together equal to that necessary for original entrance to the place which would be secured by the transfer or appointment.

RULE XXIII.

The Civil Service Commission will make appropriate regulations for carrying these rules into effect.

RULE XXIV.

Every violation by any officer in the executive civil service of these rules, or of the eleventh, twelfth, thirteenth, or fourteenth sections of the civil-service act, relating to political assessments, shall be good cause for removal.

Approved, December 5, 1884. CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are hereby amended and promulgated, as follows:

RULE V.

There shall be three branches of the service classified under the civil-service act (not including laborers or workmen or officers required to be confirmed by the Senate), as follows:

1. Those classified in the Departments at Washington shall be designated "The classified departmental service."

2. Those classified under any collector, naval officer, surveyor, or appraiser in any customs district shall be designated "The classified customs service."

3. Those classified under any postmaster at any post-office, including that at Washington, shall be designated "The classified postal service."

4. The classified customs service shall embrace the several customs districts where the officials are as many as fifty, now the following: New York City, N. Y.; Boston, Mass.; Philadelphia, Pa.; San Francisco, Cal.; Baltimore, Md.; New Orleans, La.; Chicago, Ill.; Burlington, Vt.; Portland, Me.; Detroit, Mich.; Port Huron, Mich.

5. The classified postal service shall embrace the several post-offices where the officials are as many as fifty, now the following: Albany, N. Y.; Baltimore, Md.; Boston, Mass.; Brooklyn, N. Y.; Buffalo, N. Y.; Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Detroit, Mich.; Indianapolis, Ind.; Jersey City, N. J.; Kansas City, Mo.; Louisville, Ky.; Milwaukee, Wis.; Minneapolis, Minn.; Newark, N. J.; New Haven, Conn.; New Orleans, La.; New York City, N. Y.; Philadelphia, Pa.; Pittsburg, Pa.; Providence, R. I.; Rochester, N. Y.; St. Louis, Mo.; St. Paul, Minn.; San Francisco, Cal.; Washington, D. C.

6. Whenever within the meaning of said act the clerks and persons employed by the collector, naval officer, surveyor, and appraisers, or either of them, in any customs district shall be as many as fifty, any existing classification for the customs service shall apply thereto, and when the number of clerks and persons employed at any post-office shall be as many as fifty any existing classification of those in the postal service shall apply thereto; and thereafter the Commission will provide for examinations for filling the vacancies at said offices, and the rules will be applicable thereto.

RULE XIII.

1. The date of the reception of all regular applications for the classified departmental service shall be entered of record by the Commission, and of all other regular applications by the proper examining boards of the district or office for which they are made; and applicants, when in excess of the number that can be examined at a single examination, shall, subject to the needs of apportionment, be notified to appear in their order on the respective records. But any applicants in the several States and Territories for appointment in the classified departmental service may be notified to appear for examination at any place at which an examination is to be held, whether in any State or Territory or in Washington, which shall be deemed most convenient for them.

2. The Commission is authorized, in aid of the apportionment among the States and Territories, to hold examinations at places convenient for applicants from different States and Territories, or for those examination districts which it may designate and which the President shall approve.

3. The Commission may by regulation provide for dropping from any record the applicants whose names have remained thereon for six months or more without having been reached in due course for notification to be examined.

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to any right of preference and to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy. But if a person is on both a general and a special register he need be certified from the former only, at the discretion of the Commission, until he has remained two months upon the latter.

2. These certifications for the service at Washington shall be made in such order

as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, persons of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. No person upon any register shall be certified more than four times to the same officer in the customs or postal service or more than three times to any Department at Washington, unless upon request of the appointing officer; nor shall anyone remain eligible more than one year upon any register; but these restrictions shall not extend to examinations under clause 5 of Rule VII. No person while remaining eligible on any register shall be admitted to a new examination, and no person having failed upon any examination shall within six months thereafter be admitted to another examination without the consent of the Commission.

5. Any person appointed to or employed in any part of the classified service, after due certification for the same under these rules, who shall be dismissed or separated therefrom without fault or delinquency on his part, may be reappointed or reemployed in the same part or grade of such service in the same Department or office within one year next following such dismissal or separation, without further examination, on such certification as the Commission may provide.

Approved, January 24, 1885. CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated, as follows:

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to any right of preference and to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy. But if a person is on both a general and a special register he need be certified from the former only, at the discretion of the Commission, until he has remained two months upon the latter.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, persons of that sex shall be certified; otherwise sex shall be disregarded in such certification.

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upon any examination shall within six months thereafter be admitted to another examination without the consent of the Commission.

5. Any person appointed to or employed in any part of the classified service, after due certification for the same under these rules, who shall be dismissed or separated therefrom without fault or delinquency on his part, may be reappointed or reemployed in the same part or grade of such service in the same Department or office within one year next following such dismissal or separation, without further examination, on such certification as the Commission may provide.

Approved, February 11, 1885. CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 17, 1885.*

Under the provisions of section 4 of the act of Congress approved March 3, 1883, it is hereby ordered that the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed on Saturday, the 21st instant, to enable the employees to participate in the ceremonies attending the dedication of the Washington Monument.

CHESTER A. ARTHUR.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 26, 1885.

Attention is called to the following section of the act of May 17, 1884, entitled "An act providing a civil government for Alaska:"

"SEC. 14. That the provisions of chapter 3, Title XXIII, of the Revised Statutes of the United States, relating to the unorganized Territory of Alaska, shall remain in full force except as herein specially otherwise provided; and the importation, manufacture, and sale of intoxicating liquors in said district, except for medicinal, mechanical, and scientific purposes, is hereby prohibited under the penalties which are provided in section 1955 of the Revised Statutes for the wrongful importation of distilled spirits; and the President of the United States shall make such regulations as are necessary to carry out the provisions of this section."

To enforce this section of law the following regulations are prescribed:

No intoxicating liquors shall be landed at any port or place in said Territory without a permit from the chief officer of the customs at such port or place, to be issued upon evidence satisfactory to such officer that the liquors are imported and are to be used solely for medicinal, mechanical, and scientific purposes.

No person shall manufacture or sell intoxicating liquors within the Territory of Alaska without first having obtained a license from the governor of said Territory, to be issued upon evidence satisfactory to that officer that the making and sale of such liquor will be conducted strictly in accordance with the requirements of the statute.

Any intoxicating liquors imported, manufactured, or sold within the limits of said Territory in violation of these regulations, and the persons engaged in such violation, will be dealt with in the manner prescribed in section 1955 of the Revised Statutes; and the governor of Alaska and the officers of the customs at any port or place in the United States from which intoxicating liquors may be shipped to that Territory, as well as officers of the United States within that Territory, are hereby authorized respectively to exact, in their discretion, a bond of the character mentioned in section 1955, Revised Statutes, from the master or mate of any vessel and from the persons in such Territory to whom the liquors may be sent.

The penalty prescribed by section 1955, Revised Statutes, for violation of the law is a fine not exceeding $500, or imprisonment not more than six months, and the forfeiture of the vessel bringing the merchandise and her cargo, together with her tackle, apparel, and furniture, where the value of the merchandise exceeds $400. Where the value does not exceed $400, the penalty is forfeiture of the merchandise.

The proper officers within the Territory are charged with the execution of the law and these regulations. Intoxicating liquors forfeited under the provisions of this act will be subject to sale under the same provisions of law as govern the sale of other goods that may have become liable to forfeiture, but will only be delivered for removal beyond the limits of the Territory.

H. McCULLOCH, *Secretary.*

Approved:

CHESTER A. ARTHUR.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated, as follows:

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had to any right of preference and to the apportionment of appointments to States and Territories; and from the said four a selection shall be made for the vacancy. But if a person is on both a general and a special register he need be certified from the former only, at the discretion of the Commission, until he has remained two months upon the latter.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, persons of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. No person upon any register shall be certified more than four times to the same officer in the customs or postal service or more than three times to any Department at Washington, unless upon request of the appointing officer; nor shall anyone remain eligible more than one year upon any register, except as may be provided by regulation; but these restrictions shall not extend to examinations under clause 5 of Rule VII. No person while remaining eligible on any register shall be admitted to a new examination, and no person having failed upon any examination shall within six months thereafter be admitted to another examination without the consent of the Commission.

5. Any person appointed to or employed in any part of the classified service who shall be dismissed or separated therefrom without fault or delinquency on his part may be reappointed or reemployed in the same part or grade of such service in the same Department or office within one year next following such dismissal or separation, without further examination, on such certification as the Commission may provide.

Approved, February 27, 1885.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 3, 1885.*

Under the provisions of section 4 of the act of Congress approved March 3, 1883, it is hereby ordered that the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed on Wednesday, the 4th instant, to enable the employees to witness the ceremonies incident to the inauguration on that day.

CHESTER A. ARTHUR.

QUESTIONS.

1. What objections were urged against the fee system of compensation of United States Attorneys and court officials? Page 4770.

2. What was Arthur's recommendation as to the manner of paying United States District Attorneys and Marshals? Pages 4770, 4836.

3. When was the special delivery postage stamp first suggested? Page 4836.

4. What was Arthur's recommendation as to the use of the proceeds of public lands? Page 4645.

5. What policy must be followed to restore our merchant marine? Page 4831.

6. What South American Republic has honored Washington's memory with a statue? Pages 4716, 4760.

SUGGESTIONS.

Read Arthur's discussions on the Civil War. Pages 4647, 4732, 4748, 4754, 4773, 4839, 4863.

Arthur discussed the important question of the tariff. Pages 4643, 4721, 4839.

Read Arthur's Foreign Policy; his first annual message, page 4624 and following.

NOTE.

For further suggestions on Arthur's administration see Arthur, Chester A., Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

Grover Cleveland

March 4, 1885, to March 4, 1889

SEE ENCYCLOPEDIC INDEX.

The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.

BIRTHPLACE, AT CALDWELL, NEW JERSEY, OF GROVER CLEVELAND

With reproduction of official portrait, by Johnson, from the White House Collection

Grover Cleveland

FRANCES FOLSOM CLEVELAND

Frances Folsom, ward of Grover Cleveland and daughter of his late law partner became his wife in 1886. She was the first President's wife to be married in the White House and to give birth to a child there, the second daughter being born during her father's second term. As President Cleveland was a bachelor when elected, his sister, Rose Elizabeth Cleveland, presided at the White House. Besides being a literary woman, she earnestly and creditably fulfilled all social demands. Mrs. Madison and Mrs. Cleveland were the youngest wives of Presidents. The latter quickly won all hearts by her ease, grace and charming manners, and upon her return in 1893, she received a hearty welcome. After his retirement from office Ex-President Cleveland's home was at Princeton, New Jersey, until his death June 24, 1908. Mrs. Cleveland married Prof. Thomas S. Preston, Jr., on Feb. 10, 1913.

Mr. Cleveland is said to have declared, when elected Governor of the State of New York, that it was his purpose "to make the matter a business engagement between the people of the State and myself, in which the obligation on my side is to perform the duties assigned me with an eye single to the interests of my employers." And in his first inaugural address as President of the United States, he said: "In the discharge of my official duty, I shall endeavor to be guided by a just and unstrained construction of the Constitution, a careful observance of the distinction between the powers granted to the Federal Government and those reserved to the States or to the people." In his adherence to these rules of official conduct, in his Administration of the affairs of the Federal Government, Mr. Cleveland evinced a loftiness of courage, an unswerving fidelity to conviction, and an unvarying disregard of his own mere personal interests that compel the admiration and approval of all fair-minded and unprejudiced men.

He sincerely desired, and cordially invited, the co-operation of the members of the legislative branch, in his endeavors to prevent lavish waste of the public money, debasement of the national currency, injury to the public credit, and mercenary intrusion upon the affairs or territory of foreign powers, but, deeply as he was convinced of the folly and mischief of these measures, and of his own inability to avert them without the co-operation of the Senators and Representatives, he steadfastly refused to acquire that aid, at the expense of his sense of official duty and responsibility, by surrendering to others the power of appointment to public offices, by approving acts for the payment of fraudulent pension claims, or for the erection of public buildings, at points where public need did not require them, or by perverting to mere party uses the powers confided to him for the public good.

He vetoed scores of bills for the payment of pension claims, which he believed to be fraudulent, and assigned in his messages the reasons for his action, and these remained unanswered. He vetoed bills for the erection of public buildings, on grounds which cannot be shaken. He withheld his hand from measures which he believed to be vicious, when he knew that his resolute adherence to duty would alienate his party associates and inflame the hostile zeal of party opponents.

Perhaps in no other course or policy has his judgment been so fully vindicated and his strenuous intrepidity been so conspicuously displayed, as in his persistent antagonism to the dangerous heresy of foreign conquest, and impudent intermeddling with the affairs of foreign powers. Selfish greed masked in the garb of ardent patriotism employed the

Federal Navy to overthrow the Government of Hawaii and set up a provisional government in its stead. A treaty of annexation had been negotiated, and was pending in the Senate when Mr. Cleveland entered upon his second administration. He withdrew that treaty, and sent a commissioner to Hawaii to investigate the matter.

The disturbances in Cuba had become the subject of anxiety and alarm to the Government and people of the United States. Our citizens had large investments of capital in that island, which were seriously imperiled by the war then raging between Spain and her colonists, and deep and earnest sympathy was felt and expressed for a people struggling for liberty. In his message of December 2, 1895, Mr. Cleveland said: * * * "The plain duty of their, our, Government is to observe in good faith the recognized obligations of international relationship. The performance of this duty should not be made more difficult by a disregard on the part of our citizens of the obligations growing out of their allegiance to their country, which should restrain them from violating, as individuals, the neutrality which the nation of which they are members, is bound to observe in its relations to friendly sovereign States." And referring to the same subject in his message of December 7, 1896, he there said: "It is urged finally that, all other methods failing, the existence of internecine strife in Cuba should be terminated by our intervention, even at the cost of a war between the United States and Spain—a war, which its advocates confidently prophesy could neither be large in its proportions nor doubtful in its issue. The correctness of this forecast need neither be affirmed nor denied. The United States has, nevertheless, a character to maintain as a nation, which plainly dictates that right and not might should be the rule of its conduct."

And so on, to the end of his Administration, when the halls of Congress were resonant with clamorous cries for war with Spain, its precipitation sought to be justified on grounds of "humanity," and the event forestalled by appeals to "manifest destiny," when his judgment was sought to be swerved by intimidations of popular vengeance, and allurements of popular applause and reward, Mr. Cleveland stood firm, with his "eye single to the interests of his employers," and still guided by a "just and unstrained construction of the Constitution," he withstood the ravings of the multitude, and standing alone at the helm, he kept the ship of State true to the chart which he had sworn to follow.

Holmes Conrad

Grover Cleveland

Grover Cleveland was born in Caldwell, Essex County, N. J., March 18, 1837. On the paternal side he is of English origin. Moses Cleveland emigrated from Ipswich, County of Suffolk, England, in 1635, and settled at Woburn, Mass., where he died in 1701. His descendant William Cleveland was a silversmith and watchmaker at Norwich, Conn. Richard Falley Cleveland, son of the latter named, was graduated at Yale in 1824, was ordained to the Presbyterian ministry in 1829, and in the same year married Ann Neal, daughter of a Baltimore merchant of Irish birth. These two were the parents of Grover Cleveland. The Presbyterian parsonage at Caldwell, where he was born, was first occupied by the Rev. Stephen Grover, in whose honor he was named; but the first name was early dropped, and he has been since known as Grover Cleveland. When he was 4 years old his father accepted a call to Fayetteville, near Syracuse, N. Y., where the son had common and academic schooling, and afterwards was a clerk in a country store. The removal of the family to Clinton, Oneida County, gave him additional educational advantages in the academy there. In his seventeenth year he became a clerk and an assistant teacher in the New York Institution for the Blind, in New York City, in which his elder brother, William, a Presbyterian clergyman, was then a teacher. In 1855 he left Holland Patent, in Oneida County, where his mother at that time resided, to go to the West in search of employment. On his way he stopped at Black Rock, now a part of Buffalo, and called on his uncle, Lewis F. Allen, who induced him to remain and aid him in the compilation of a volume of the American Herd Book, receiving for six weeks' service $60. He afterwards, and while studying law, assisted in the preparation of several other volumes of this work, and the preface to the fifth volume (1861) acknowledges his services. In August, 1855, he secured a place as clerk and copyist for the law firm of Rogers, Bowen & Rogers, in Buffalo, began to read Blackstone, and in the autumn of that year was receiving $4 per week for his work. He was admitted to the bar in 1859, but for three years longer remained with the firm that first employed him, acting as managing clerk at a salary of $600, a part of which he devoted to the support of his widowed mother, who died in 1882. Was appointed assistant district attorney of Erie County January 1, 1863, and held the office for three years. At this time the Civil War was raging. Two of his brothers were in the Army, and his mother and sisters were largely dependent upon him for support. Unable himself to enlist, he borrowed money and sent a substitute to the war, and it was not till long after the war that he was able to repay the loan. In 1865, at the age of 28, he was the Democratic candidate for district attorney, but was defeated by the Republican candidate, his intimate friend, Lyman K. Bass. He then became the law partner of Isaac V. Vanderpool, and in 1869 became a member of the firm of Lanning, Cleveland & Folsom. He continued a successful practice till 1870, when he was elected sheriff of Erie County. At the expiration of his three years' term he formed a law partnership with his personal friend and political antagonist, Lyman K. Bass, the firm being Bass, Cleveland & Bissell, and, after the forced retirement, from failing health, of Mr. Bass, Cleveland & Bissell. In 1881 he was nominated the Democratic candidate for mayor of Buffalo, and was elected by a majority of 3,530, the largest ever given to a candidate in that city. In the same election the Republican State ticket was carried in Buffalo by an average majority of over 1,600. He entered upon the office January 1, 1882, and soon became known as the "Veto Mayor," using that prerogative fearlessly in checking unwise, illegal, and extravagant expenditures. By his vetoes he saved the city nearly $1,000,000 in the first half year of his administration. He opposed giving $500 of the taxpayers' money to the Firemen's Benevolent Society on the ground that such appropriation was not permissible under the terms of the State constitution and the charter of the city. He vetoed a resolution diverting $500 from the Fourth of July appropriations to the observance of Decoration Day for the same reason, and immediately subscribed one-tenth of the sum wanted for the purpose. His administration of the office won tributes to his integrity and ability from the press and the people irrespective of party. On the second day of the Democratic State convention at Syracuse, September 22, 1882, on the third ballot, was nominated for governor in opposition to the Republican candidate, Charles J. Folger, then Secretary of the United States Treasury. He had the united support of his own party, while the Republicans were not united on his opponent, and at the election in November he received a plurality over Mr. Folger of 192,854. His State administration was only an expansion of the fundamental principles that controlled his official action while mayor of Buffalo. In a letter written to his brother on the day of his election he announced a policy he intended to adopt, and afterwards carried out, "that is, to make the matter a business engagement between the people of the State and myself, in which the obligation on my side is to perform the duties assigned me with an eye single to the interest of my employers." The

Democratic national convention met at Chicago July 8, 1884. On July 11 he was nominated as their candidate for President. The Republicans made James G. Blaine their candidate, while Benjamin F. Butler, of Massachusetts, was the Labor and Greenback candidate, and John P. St. John, of Kansas, was the Prohibition candidate. At the election, November 4, Mr. Cleveland received 219 and Mr. Blaine 182 electoral votes. He was unanimously renominated for the Presidency by the national Democratic convention in St. Louis on June 6, 1888. At the election in November he received 168 electoral votes, while 233 were cast for Benjamin Harrison, the Republican candidate. Of the popular vote, however, he received 5,540,329, and Mr. Harrison received 5,439,853. At the close of his Administration, March 4, 1889, he retired to New York City, where he reentered upon the practice of his profession. It soon became evident, however, that he would be prominently urged as a candidate for renomination in 1892. At the national Democratic convention which met in Chicago June 21, 1892, he received more than two-thirds of the votes on the first ballot. At the election in November he received 277 of the electoral votes, while Mr. Harrison received 145 and Mr. James B. Weaver, the candidate of the People's Party, 22. Of the popular vote Mr. Cleveland received 5,553,142, Mr. Harrison 5,186,931, and Mr. Weaver 1,030,128. He retired from office March 4, 1897, and removed to Princeton, N. J. He was the first of our Presidents to serve a second term without being elected as his own successor. President Cleveland was married in the White House on June 2, 1886, to Frances Folsom, the daughter of his deceased law partner, Oscar Folsom. Mrs. Cleveland, who was born in Buffalo in 1864, was the youngest of the matrons of the White House, except Mrs. Madison. She was the first President's wife to be married in the White House, and the first to give birth to a child there (Esther, the second daughter, born in 1893). From 1897 to his death on June 24, 1908, Cleveland lived at Princeton in semi-retirement, lecturing at Princeton University and easily emerging from the unpopularity surrounding him when he retired from the Presidency.

INAUGURAL ADDRESS.

FELLOW-CITIZENS: In the presence of this vast assemblage of my countrymen I am about to supplement and seal by the oath which I shall take the manifestation of the will of a great and free people. In the exercise of their power and right of self-government they have committed to one of their fellow-citizens a supreme and sacred trust, and he here consecrates himself to their service.

This impressive ceremony adds little to the solemn sense of responsibility with which I contemplate the duty I owe to all the people of the land. Nothing can relieve me from anxiety lest by any act of mine their interests may suffer, and nothing is needed to strengthen my resolution to engage every faculty and effort in the promotion of their welfare.

Amid the din of party strife the people's choice was made, but its attendant circumstances have demonstrated anew the strength and safety of a government by the people. In each succeeding year it more clearly appears that our democratic principle needs no apology, and that in its fearless and faithful application is to be found the surest guaranty of good government.

But the best results in the operation of a government wherein every citizen has a share largely depend upon a proper limitation of purely partisan zeal and effort and a correct appreciation of the time when the heat of the partisan should be merged in the patriotism of the citizen.

To-day the executive branch of the Government is transferred to new keeping. But this is still the Government of all the people, and it should be none the less an object of their affectionate solicitude. At this hour the animosities of political strife, the bitterness of partisan defeat, and the exultation of partisan triumph should be supplanted by an ungrudging acquiescence in the popular will and a sober, conscientious concern for the general weal. Moreover, if from this hour we cheerfully and honestly abandon all sectional prejudice and distrust, and determine, with manly confidence in one another, to work out harmoniously the achievements of our national destiny, we shall deserve to realize all the benefits which our happy form of government can bestow.

On this auspicious occasion we may well renew the pledge of our devotion to the Constitution, which, launched by the founders of the Republic and consecrated by their prayers and patriotic devotion, has for almost a century borne the hopes and the aspirations of a great people through prosperity and peace and through the shock of foreign conflicts and the perils of domestic strife and vicissitudes.

By the Father of his Country our Constitution was commended for adoption as "the result of a spirit of amity and mutual concession." In that same spirit it should be administered, in order to promote the lasting welfare of the country and to secure the full measure of its priceless benefits to us and to those who will succeed to the blessings of our national life. The large variety of diverse and competing interests subject to Federal control, persistently seeking the recognition of their claims, need give us no fear that "the greatest good to the greatest number" will fail to be accomplished if in the halls of national legislation that spirit of amity and mutual concession shall prevail in which the Constitution had its birth. If this involves the surrender or postponement of private interests and the abandonment of local advantages, compensation will be found in the assurance that the common interest is subserved and the general welfare advanced.

In the discharge of my official duty I shall endeavor to be guided by a just and unstrained construction of the Constitution, a careful observance of the distinction between the powers granted to the Federal Government and those reserved to the States or to the people, and by a cautious appreciation of those functions which by the Constitution and laws have been especially assigned to the executive branch of the Government.

But he who takes the oath to-day to preserve, protect, and defend the Constitution of the United States only assumes the solemn obligation which every patriotic citizen—on the farm, in the workshop, in the busy marts of trade, and everywhere—should share with him. The Constitution which prescribes his oath, my countrymen, is yours; the Government you have chosen him to administer for a time is yours; the suffrage which executes the will of freemen is yours; the laws and the entire scheme of our civil rule, from the town meeting to the State capitals and the national capital, is yours. Your every voter, as surely as your Chief Magistrate, under the same high sanction, though in a different sphere, exercises a public trust. Nor is this all. Every citizen owes to the country a vigilant watch and close scrutiny of its public servants and a fair and reasonable estimate of their fidelity and usefulness. Thus is the people's will impressed upon the whole framework of our civil polity—municipal, State, and Federal; and this is the price of our liberty and the inspiration of our faith in the Republic.

It is the duty of those serving the people in public place to closely limit public expenditures to the actual needs of the Government economically administered, because this bounds the right of the Government to exact tribute from the earnings of labor or the property of the citizen, and because public extravagance begets extravagance among the people. We should never be ashamed of the simplicity and prudential economies which are best suited to the operation of a republican form of government and most compatible with the mission of the American people. Those who are selected for a limited time to manage public affairs are still of the people, and may do much by their example to encourage, consistently with the dignity of their official functions, that plain way of life which among their fellow-citizens aids integrity and promotes thrift and prosperity.

The genius of our institutions, the needs of our people in their home life, and the attention which is demanded for the settlement and development of the resources of our vast territory dictate the scrupulous avoidance of any departure from that foreign policy commended by the history, the traditions, and the prosperity of our Republic. It is the policy of independence, favored by our position and defended by our known love of justice and by our power. It is the policy of peace suitable to our interests. It is the policy of neutrality, rejecting any share in foreign broils and ambitions upon other continents and repelling their intrusion here. It is the policy of Monroe and of Washington and Jefferson—"Peace, commerce, and honest friendship with all nations; entangling alliance with none."

A due regard for the interests and prosperity of all the people demands that our finances shall be established upon such a sound and sensible basis as shall secure the safety and confidence of business interests and make the wage of labor sure and steady, and that our system of revenue shall be so adjusted as to relieve the people of unnecessary taxation, having a due regard to the interests of capital invested and workingmen employed in American industries, and preventing the accumulation of a surplus in the Treasury to tempt extravagance and waste.

Care for the property of the nation and for the needs of future settlers requires that the public domain should be protected from purloining schemes and unlawful occupation.

The conscience of the people demands that the Indians within our boundaries shall be fairly and honestly treated as wards of the Government and their education and civilization promoted with a view to their ultimate citizenship, and that polygamy in the Territories, destructive of the family relation and offensive to the moral sense of the civilized world, shall be repressed.

The laws should be rigidly enforced which prohibit the immigration of a servile class to compete with American labor, with no intention of acquiring citizenship, and bringing with them and retaining habits and customs repugnant to our civilization.

The people demand reform in the administration of the Government and the application of business principles to public affairs. As a means to this end, civil-service reform should be in good faith enforced. Our citizens have the right to protection from the incompetency of public employees who hold their places solely as the reward of partisan service, and from the corrupting influence of those who promise and the vicious methods of those who expect such rewards; and those who worthily seek public employment have the right to insist that merit and competency shall be recognized instead of party subserviency or the surrender of honest political belief.

In the administration of a government pledged to do equal and exact justice to all men there should be no pretext for anxiety touching the protection of the freedmen in their rights or their security in the enjoyment of their privileges under the Constitution and its amendments. All discussion as to their fitness for the place accorded to them as American citizens is idle and unprofitable except as it suggests the necessity for their improvement. The fact that they are citizens entitles them to all the rights due to that relation and charges them with all its duties, obligations, and responsibilities.

These topics and the constant and ever-varying wants of an active and enterprising population may well receive the attention and the patriotic endeavor of all who make and execute the Federal law. Our duties are practical and call for industrious application, an intelligent perception of the claims of public office, and, above all, a firm determination, by united action, to secure to all the people of the land the full benefits of the best form of government ever vouchsafed to man. And let us not trust to human effort alone, but humbly acknowledging the power and goodness of Almighty God, who presides over the destiny of nations, and who has at all times been revealed in our country's history, let us invoke His aid and His blessing upon our labors.

MARCH 4, 1885.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *March 13, 1885.*

To the Senate of the United States:

For the purpose of their reexamination I withdraw certain treaties and conventions now pending in the Senate which were communicated to that body by my predecessor in office, and I therefore request the return to me of the commercial convention between the United States and the Dominican Republic which was transmitted to the Senate December 9, 1884; of the commercial treaty between the United States and Spain which was transmitted to the Senate December 10, 1884, together with the supplementary articles thereto of March 2, 1885; and of the treaty between the United States and Nicaragua for the construction of an interoceanic canal which was transmitted to the Senate December 10, 1884.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 2, 1885.

To the Senate of the United States:

For the purpose of its reconsideration I withdraw the additional article, now pending in the Senate, signed on the 23d of June last, to the treaty of friendship, commerce, and navigation which was concluded between the United States and the Argentine Confederation July 27, 1853, and communicated to the Senate by my predecessor in office 27th of January, 1885.

GROVER CLEVELAND.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is alleged that certain individuals, associations of persons, and corporations are in the unauthorized possession of portions of the territory known as the Oklahoma lands, within the Indian Territory, which are designated, described, and recognized by the treaties and laws of the United States and by the executive authority thereof as Indian lands; and

Whereas it is further alleged that certain other persons or associations within the territory and jurisdiction of the United States have begun and set on foot preparations for an organized and forcible entry and settlement upon the aforesaid lands and are now threatening such entry and occupation; and

Whereas the laws of the United States provide for the removal of all persons residing or being found upon such Indian lands and territory without permission expressly and legally obtained of the Interior Department:

Now, therefore, for the purpose of protecting the public interests, as well as the interests of the Indian nations and tribes, and to the end that no person or persons may be induced to enter upon said territory, where they will not be allowed to remain without the permission of the authority aforesaid, I, Grover Cleveland, President of the United States, do hereby warn and admonish all and every person or persons now in the occupation of such lands, and all such person or persons as are intending, preparing, or threatening to enter and settle upon the same, that they will neither be permitted to enter upon said territory nor, if already there, to remain thereon, and that in case a due regard for and voluntary obedience to the laws and treaties of the United States and if this admonition and warning be not sufficient to effect the purposes and intentions of the Government as herein declared, the military power of the United States will be invoked to abate all such unauthorized possession, to prevent such threatened entry and occupation, and to remove all such intruders from the said Indian lands.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 13th day of March, 1885, and of the Independence of the United States of America the one hundred and ninth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been received by me that upon vessels of the United States arriving at the island of Trinidad, British West Indies, no duty is imposed by the ton as tonnage tax or as light money, and that no other equivalent tax on vessels of the United States is imposed at said island by the British Government; and

Whereas by the provisions of section 14 of an act approved June 26, 1884, "to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," the President of the United States is authorized to suspend the collection in ports of the United States from vessels arriving from any port in the island of Trinidad of so much of the duty at the rate of 3 cents per ton as may be in excess of the tonnage and light-house dues, or other equivalent of tax or taxes, imposed on American vessels by the government of the foreign country in which such port is situated:

Now, therefore, I, Grover Cleveland, President of the United States of America, by virtue of the authority vested in me by the act and section hereinbefore mentioned, do hereby declare and proclaim that on and after this 7th day of April, 1885, the collection of said tonnage duty of 3 cents per ton shall be suspended as regards all vessels arriving in any port of the United States from a port in the island of Trinidad, British West Indies.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 7th day of April, 1885, and of the Independence of the United States of America the one hundred and ninth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, by an Executive order bearing date the 27th day of February, 1885, it was ordered that "all that tract of country in the Territory of Dakota known as the Old Winnebago Reservation and the Sioux or Crow Creek Reservation, and lying on the east bank of the Missouri River, set apart and reserved by Executive order dated January 11, 1875, and which is not covered by the Executive order dated August 9, 1879, restoring certain of the lands reserved by the order of January 11, 1875, except the following-described tracts: Townships No. 108 north, range 71 west; 108 north, range 72 west; fractional township 108 north, range 73 west; the west half of section 4, sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of township 107 north, range 70 west; fractional townships 107 north, range 71 west; 107 north, range 72 west; 107 north, range 73 west; the west half of township 106 north, range 70 west; and fractional township 106 north, range 71 west; and except also all tracts within the limits of the aforesaid Old Winnebago Reservation and the Sioux or Crow Creek Reservation which are outside of the limits of the above-described tracts, and which may have heretofore been allotted to the Indians residing upon said reservation, or which may have heretofore been selected or occupied by the said Indians under and in accordance with the provisions of article 6 of the treaty with the Sioux Indians of April 29, 1868, be, and the same is hereby, restored to the public domain;" and

Whereas upon the claim being made that said order is illegal and in violation of the plighted faith and obligations of the United States contained in sundry treaties heretofore entered into with the Indian tribes or bands occupants of said reservation, and that the further execution of said order will not only occasion much distress and suffering to peaceable Indians, but retard the work of their civilization and engender amongst them a distrust of the National Government, I have determined, after a careful examination of the several treaties, acts of Congress, and other official data bearing on the subject, aided and assisted therein by the advice and opinion of the Attorney-General of the United States duly rendered in that behalf, that the lands so proposed to be restored to the public domain by said Executive order of February 27, 1885, are included as existing Indian reservations on the east bank of the Missouri River by the terms of the second article of the treaty with the Sioux Indians concluded April 29, 1868, and that consequently, being treaty reservations, the Executive was without lawful power to restore them to the public domain by said Executive order, which is therefore deemed and considered to be wholly inoperative and void; and

Whereas the laws of the United States provide for the removal of all persons residing or being found upon Indian lands and territory without permission expressly and legally obtained of the Interior Department:

Now, therefore, in order to maintain inviolate the solemn pledges and plighted faith of the Government as given in the treaties in question, and for the purpose of properly protecting the interests of the Indian tribes as well as of the United States in the premises, and to the end that no person or persons may be induced to enter upon said lands, where they will not be allowed to remain without the permission of the authority aforesaid, I, Grover Cleveland, President of the United States, do hereby declare and proclaim the said Executive order of February 27, 1885, to be in contravention of the treaty obligations of the United States with the Sioux tribe of Indians, and therefore to be inoperative and of no effect; and I further declare that the lands intended to be embraced therein are existing Indian reservations, and as such available for Indian purposes alone and subject to the Indian-intercourse acts of the United States. I do further warn and admonish all and every person or persons now in the occupation of said lands under color of said Executive order and all such person or persons as are intending or preparing to enter and settle upon the same thereunder, that they will neither be permitted to remain or enter upon said lands, and such persons as are already there are hereby required to vacate and remove therefrom with their effects within sixty days from the date hereof; and in case a due regard for and voluntary obedience to the laws and treaties of the United States and this admonition and warning be not sufficient to effect the purpose and intentions as herein declared, all the power of the Government will be employed to carry into proper execution the treaties and laws of the United States herein referred to.

In testimony thereof I hereunto set my hand and cause the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 17th day of April, 1885, and of the Independence of the United States of America the one hundred and ninth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas certain portions of the Cheyenne and Arapahoe Indian Reservation, in the Indian Territory, are occupied by persons other than Indians, who claim the right to keep and graze cattle thereon by agreement made with the Indians for whose special possession and occupancy the said lands have been reserved by the Government of the United States, or under other pretexts and licenses; and

Whereas all such agreements and licenses are deemed void and of no effect, and the persons so occupying said lands with cattle are considered unlawfully upon the domain of the United States so reserved as aforesaid; and

Whereas the claims of such persons under said leases and licenses and their unauthorized presence upon such reservation have caused complaint and discontent on the part of the Indians located thereon, and are likely to cause serious outbreaks and disturbances:

Now, therefore, I, Grover Cleveland, President of the United States, do hereby order and direct that all persons other than Indians who are now upon any part of said reservation for the purpose of grazing cattle thereon, and their servants and agents, and all other unauthorized persons now upon said reservation, do, within forty days from the date of this proclamation, depart and entirely remove therefrom with their cattle, horses, and other property.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington on this 23d day of July, 1885, and the year of the Independence of the United States the one hundred and tenth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The President of the United States has just received the sad tidings of the death of that illustrious citizen and ex-President of the United States, General Ulysses S. Grant, at Mount McGregor, in the State of New York, to which place he had lately been removed in the endeavor to prolong his life.

In making this announcement to the people of the United States the President is impressed with the magnitude of the public loss of a great military leader, who was in the hour of victory magnanimous, amid disaster serene and self-sustained; who in every station, whether as a soldier or as a Chief Magistrate, twice called to power by his fellow-countrymen, trod unswervingly the pathway of duty, undeterred by doubts, single-minded and straightforward.

The entire country has witnessed with deep emotion his prolonged and patient struggle with painful disease, and has watched by his couch of suffering with tearful sympathy.

The destined end has come at last, and his spirit has returned to the Creator who sent it forth.

The great heart of the nation that followed him when living with love and pride bows now in sorrow above him dead, tenderly mindful of his virtues, his great patriotic services, and of the loss occasioned by his death.

In testimony of respect to the memory of General Grant, it is ordered that the Executive Mansion and the several Departments at Washington be draped in mourning for a period of thirty days and that all public business shall on the day of the funeral be suspended; and the Secretaries of War and of the Navy will cause orders to be issued for appropriate military and naval honors to be rendered on that day.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of July, 1885, and of the Independence of the United States the one hundred and tenth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas public policy demands that the public domain shall be reserved for the occupancy of actual settlers in good faith, and that our people who seek homes upon such domain shall in no wise be prevented by any wrongful interference from the safe and free entry thereon to which they may be entitled; and

Whereas, to secure and maintain this beneficent policy, a statute was passed by the Congress of the United States on the 25th day of February, in the year 1885, which declared to be unlawful all inclosures of any public lands in any State or Territory to any of which land included within said inclosure the person, party, association, or corporation making or controlling such inclosure had no claim or color of title made or acquired in good faith, or an asserted right thereto by or under claim made in good faith with a view to entry thereof at the proper land office; and which statute also prohibited any person, by force, threats, intimidation, or by any fencing or inclosure or other unlawful means, from preventing or obstructing any person from peaceably entering upon or establishing a settlement or residence on any tract of public land subject to settlement or entry under the public-land laws of the United States, and from preventing or obstructing free passage and transit over or through the public lands; and

Whereas it is by the fifth section of said act provided as follows:

> That the President is hereby authorized to take such means as shall be necessary to remove and destroy any unlawful inclosure of any of said lands, and to employ civil or military force as may be necessary for that purpose.

And whereas it has been brought to my knowledge that unlawful inclosures, and such as are prohibited by the terms of the aforesaid statute, exist upon the public domain, and that actual legal settlement thereon is prevented and obstructed by such inclosures and by force, threats, and intimidation:

Now, therefore, I, Grover Cleveland, President of the United States, do hereby order and direct that any and every unlawful inclosure of the public lands maintained by any person, association, or corporation be immediately removed; and I do hereby forbid any person, association, or corporation from preventing or obstructing by means of such inclosures, or by force, threats, or intimidation, any person entitled thereto from peaceably entering upon and establishing a settlement or residence on any part of such public land which is subject to entry and settlement under the laws of the United States.

And I command and require each and every officer of the United States upon whom the duty is legally devolved to cause this order to be obeyed and all the provisions of the act of Congress herein mentioned to be faithfully enforced.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 7th day of August, 1885, and of the Independence of the United States of America the one hundred and tenth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been received by me that upon vessels of the United States arriving at the port of Boca del Toro, United States of Colombia, no duty is imposed by the ton as tonnage tax or as light money, and that no other equivalent tax on vessels of the United States is imposed at said port by the Colombian Government; and

Whereas by the provisions of section 14 of an act approved June 26, 1884, "to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," the President of the United States is authorized to suspend the collection in ports of the United States from vessels arriving from any port in "Central America down to and including Aspinwall and Panama" of so much of the duty at the rate of 3 cents per ton as may be in excess of the tonnage and light-house dues, or other equivalent tax or taxes, imposed on American vessels by the government of the foreign country in which such port is situated:

Now, therefore, I, Grover Cleveland, President of the United States of America, by virtue of the authority vested in me by the act and section hereinbefore mentioned, do hereby declare and proclaim that on and after this 9th day of September, 1885, the collection of said tonnage duty of 3 cents per ton shall be suspended as regards all vessels arriving in any port of the United States from the port of Boca del Toro, United States of Colombia.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 9th day of September, 1885, and of the Independence of the United States of America the one hundred and tenth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The American people have always abundant cause to be thankful to Almighty God, whose watchful care and guiding hand have been manifested in every stage of their national life, guarding and protecting them in time of peril and safely leading them in the hour of darkness and of danger.

It is fitting and proper that a nation thus favored should on one day in every year, for that purpose especially appointed, publicly acknowledge the goodness of God and return thanks to Him for all His gracious gifts.

Therefore, I, Grover Cleveland, President of the United States of America, do hereby designate and set apart Thursday, the 26th day of November instant, as a day of public thanksgiving and prayer, and do invoke the observance of the same by all the people of the land.

On that day let all secular business be suspended, and let the people assemble in their usual places of worship and with prayer and songs of praise devoutly testify their gratitude to the Giver of Every Good and Perfect Gift for all that He has done for us in the year that has passed; for our preservation as a united nation and for our deliverance from the shock and danger of political convulsion; for the blessings of peace and for our safety and quiet while wars and rumors of wars have agitated and afflicted other nations of the earth; for our security against the scourge of pestilence, which in other lands has claimed its dead by thousands and filled the streets with mourners; for plenteous crops which reward the labor of the husbandman and increase our nation's wealth, and for the contentment throughout our borders which follows in the train of prosperity and abundance.

And let there also be on the day thus set apart a reunion of families, sanctified and chastened by tender memories and associations; and let the social intercourse of friends, with pleasant reminiscence, renew the ties of affection and strengthen the bonds of kindly feeling.

And let us by no means forget while we give thanks and enjoy the comforts which have crowned our lives that truly grateful hearts are inclined to deeds of charity, and that a kind and thoughtful remembrance of the poor will double the pleasures of our condition and render our praise and thanksgiving more acceptable in the sight of the Lord.

Done at the city of Washington, this 2d day of November, 1885, and of the Independence of the United States the one hundred and tenth.

[SEAL.]

GROVER CLEVELAND.

By the President:

T. F. BAYARD,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is represented to me by the governor of the Territory of Washington that domestic violence exists within the said Territory, and that by reason of unlawful obstructions and combinations and the assemblage of evil-disposed persons it has become impracticable to enforce by the ordinary course of judicial proceedings the laws of the United States at Seattle and at other points and places within said Territory, whereby life and property are there threatened and endangered; and

Whereas the legislature of said Territory can not be convened, and in the judgment of the President an emergency has arisen and a case is now presented which justifies and requires, under the Constitution and laws of the United States, the employment of military force to suppress domestic violence and enforce the faithful execution of the laws of the United States if the command and warning of this proclamation be disobeyed or disregarded:

Now, therefore, I, Grover Cleveland, President of the United States of America, do hereby command and warn all insurgents and all persons who have assembled at any point within the said Territory of Washington for the unlawful purposes aforesaid to desist therefrom and to disperse and retire peaceably to their respective abodes on or before 12 o'clock meridian on the 8th day of November instant.

And I do admonish all good citizens of the United States and all persons within the limits and jurisdiction thereof against aiding, abetting, countenancing, or taking any part in such unlawful acts or assemblages.

In witness whereof I have set my hand and caused the seal of the United States to be hereunto affixed.

[SEAL.] Done at the city of Washington, this 7th day of November, A. D. 1885, and of the Independence of the United States the one hundred and tenth.

GROVER CLEVELAND.

By the President:
T. F. BAYARD,
Secretary of State.

EXECUTIVE ORDERS.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated, as follows:

RULE XXII.

Any person who has been in the classified departmental service for one year or more immediately previous may, when the needs of the service require it, be transferred or appointed to any other place therein upon producing a certificate from the Civil Service Commission that such person has passed at the required grade one or more examinations which are together equal to that necessary for original entrance to the place which would be secured by the transfer or appointment; and any person who has for three years last preceding served as a clerk in the office of the President of the United States may be transferred or appointed to any place in the classified service without examination.

Approved, March 18, 1885.

GROVER CLEVELAND.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

Whereas the Government of His Majesty the King of Italy has extended to the Government of the United States an invitation to participate in a sanitary conference to be held at Rome on the 15th day of May, 1885, for the purpose of devising efficient measures to prevent the invasion of cholera and to mitigate its disastrous consequences; and

Whereas, by a provision of the act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes," approved March 3, 1885, for the suppression of epidemic diseases, the President of the United States is authorized, in case of threatened or actual epidemic of cholera or yellow fever, to use certain appropriated sums, made immediately available, "in aid of State and local boards or otherwise, in his discretion, in preventing and suppressing the spread of the same and for maintaining quarantine and maritime inspections at points of danger;" and

Whereas there is imminent danger of a recurrence of a cholera epidemic in Europe, which may be brought to our shores unless adequate measures of international or local quarantine and maritime inspection are taken in season, which measures of preventive inspection are proper to be considered by the aforesaid conference, to the end that their efficiency in divers countries may be secured:

Now, therefore, in virtue of the discretionary authority conferred upon me by the aforesaid act of Congress, I hereby designate and appoint Major George M. Sternberg, surgeon in the United States Army, to attend said conference at Rome as the delegate thereto on the part of the Government of the United States, under the directions and instructions of the Secretary of State; and I hereby direct the Secretary of War to detail the said George M. Sternberg to perform the special service to which he is thus assigned, with full pay and allowances as on active service; and I further direct that the reasonable and necessary expenses of travel and sojourn of the said George M. Sternberg in proceeding from Washington to Rome, and during his attendance there upon the sessions of the said conference, and in returning, upon the conclusion thereof, from Rome to Washington, be adjusted and paid from the appropriation available under the aforesaid act of March 3, 1885, upon his statement of account approved by the Secretary of State.

Done at the city of Washington, this 25th day of April, A. D. 1885, and of the Independence of the United States the one hundred and ninth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

EXECUTIVE MANSION,
Washington, May 12, 1885.

Under a provision of an act of Congress entitled "An act making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes," approved March 3, 1885, a board, to consist of the officers and civilians hereinafter named, is appointed to "examine and report at what ports fortifications or other defenses are most urgently required, the character and kind of defenses best adapted for each, with reference to armament," and "the utilization of torpedoes, mines, or other defensive appliances:" Hon. William C. Endicott, Secretary of War, president of the board; Brigadier-General Stephen V. Benét, Chief of Ordnance; Brigadier-General John Newton, Chief of Engineers; Lieutenant-Colonel Henry L. Abbot, Corps of Engineers; Captain Charles S. Smith, Ordnance Department; Commander W. T. Sampson, United States Navy; Commander Caspar F. Goodrich, United States Navy; Mr. Joseph Morgan, jr., of Pennsylvania; Mr. Erastus Corning, of New York.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 26, 1885.*

Under the provisions of section 4 of the act approved March 3, 1883, it is hereby ordered that the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed on Saturday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

GROVER CLEVELAND.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rule for the regulation and improvement of the executive civil service is hereby amended and promulgated, as follows:

RULE XI.

1. Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subjects: (1) Full name, residence, and post-office address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) right of preference by reason of military or naval service; (7) previous employment in the public service; (8) business or employment and residence for the previous five years; (9) education. Such other information shall be furnished as the Commission may reasonably require touching the applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section 8 of the civil-service act, which is as follows:

"That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable."

No person dismissed from the public service for misconduct and no person who has not been absolutely appointed or employed after probation shall be admitted to examination within two years thereafter.

2. No person under enlistment in the Army or Navy of the United States shall be examined under these rules, except for some place in the Department under which he is enlisted requiring special qualifications, and with the consent in writing of the head of such Department.

3. The Commission may by regulations, subject to change at any time by the President, declare the kind and measure of ill health, physical incapacity, misrepresentation, and bad faith which may properly exclude any person from the right of examination, grading, or certification under these rules. It may also provide for medical certificates of physical capacity in the proper cases, and for the appropriate certification of persons so defective in sight, speech, hearing, or otherwise as to be apparently disqualified for some of the duties of the part of the service which they seek to enter.

Approved, June 2, 1885.

GROVER CLEVELAND.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the eighth clause of Rule XIX for the regulation and improvement of the executive civil service is hereby amended so as to read as follows:

8. Chief clerks, deputy collectors, deputy naval officers, deputy surveyors of customs, and superintendents or chiefs of divisions or bureaus.

And the same is hereby promulgated.

Approved, June 15, 1885.

GROVER CLEVELAND.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following special rule for the regulation and improvement of the executive civil service is hereby promulgated:

SPECIAL RULE NO. 4.

Appointments to the 150 places in the Pension Office provided to be filled by the act of March 3, 1885, except so far as they may be filled by promotions or transfers, must be separately apportioned by the appointing power in as near conformity to the second section of the act of January 16, 1883, as the need of filling them promptly and the residence and qualifications of the applicants will permit.

Approved, July 16, 1885.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 23, 1885.*

Heads of all Government Departments:

Ex-President Ulysses S. Grant died this morning at 8 o'clock.

In respect to his memory it is ordered that all of the offices of the Executive Departments in the city of Washington be closed to-day at 1 o'clock.

GROVER CLEVELAND.

GENERAL ORDERS, No. 81.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 23, 1885.

I. The following proclamation has been received from the President:

[For proclamation see p. 4893.]

II. In compliance with the instructions of the President, on the day of the funeral, at each military post, the troops and cadets will be paraded and this order read to them, after which all labors for the day will cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired, and afterwards at intervals of thirty minutes between the rising and setting of the sun a single gun, and at the close of the day a national salute of thirty-eight guns.

The officers of the Army will wear crape on the left arm and on their swords, and the colors of the Battalion of Engineers, of the several regiments, and of the United States Corps of Cadets will be put in mourning for the period of six months.

The date and hour of the funeral will be communicated to department commanders by telegraph, and by them to their subordinate commanders.

By command of Lieutenant-General Sheridan:

R. C. DRUM, *Adjutant-General.*

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, July 23, 1885.

The President of the United States announces the death of ex-President Ulysses S. Grant in the following proclamation:

[For proclamation see p. 4893.]

In pursuance of the President's instructions, it is hereby directed that the ensign at each naval station and of each vessel of the United States Navy in commission be hoisted at half-mast, and that a gun be fired at intervals of every half hour from sunrise to sunset at each naval station and on board of flagships and of vessels acting singly on the day of the funeral, where this order may be received in time, otherwise on the day after its receipt.

The officers of the Navy and Marine Corps will wear the usual badge of mourning attached to the sword hilt and on the left arm for a period of thirty days.

WILLIAM C. WHITNEY,
Secretary of the Navy.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the seventh clause of Rule XIX for the regulation and improvement of the executive civil service is hereby amended so as to read as follows:

7. Persons whose employment is exclusively professional; but medical examiners are not included among such persons.

And the same is hereby promulgated.

Approved, August 5, 1885.

GROVER CLEVELAND.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *August 6, 1885.*

To Head of each Executive Department:

It is hereby ordered, That the several Executive Departments, the Department of Agriculture, and the Government Printing Office be closed to-morrow, Friday, August 7, at 3 o'clock p. m., to enable such employees as may desire to attend the funeral of the late ex-President, General Grant, in New York.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, September 23, 1885.

Under a provision of an act of Congress entitled "An act to authorize the appointment of a commission by the President of the United States to run and mark the boundary lines between a portion of the Indian Territory and the State of Texas, in connection with a similar commission to be appointed by the State of Texas," the following officers of the Army are detailed, in obedience to the provisions of said act of Congress, to act in conjunction with such persons as have been appointed by the State of Texas to ascertain and mark the point where the one hundredth meridian of longitude crosses the Red River: Major W. R. Livermore, Corps of Engineers; First Lieutenant Thomas L. Casey, jr., Corps of Engineers; First Lieutenant Lansing H. Beach, Corps of Engineers.

GROVER CLEVELAND.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

Whereas, by a provision of the act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes," approved March 3, 1885, for the suppression of epidemic diseases, the President of the United States is authorized, in case of threatened or actual epidemic of cholera or yellow fever, to use certain appropriated sums, made immediately available, "in aid of State and local boards or otherwise, in his discretion, in preventing and suppressing the spread of the same and for maintaining quarantine and maritime inspections at points of danger;" and

Whereas there is imminent danger of a recurrence of a cholera epidemic in Europe, which may be brought to our shores unless adequate measures of international or local quarantine inspections are taken in season, which measures of preventive inspection are proper subjects to be considered, to the end that their efficiency in divers countries may be secured:

Now, therefore, in virtue of the discretionary authority conferred upon me by the aforesaid act of Congress, I hereby designate and appoint Dr. E. O. Shakespeare, M. D., of Pennsylvania, as a representative of the Government of the United States, to proceed, under the directions of the Secretary of State, to Spain and such other countries in Europe where the cholera exists, and make investigation of the causes, progress, and proper prevention and cure of the said diseases, in order that a full report may be made of them to Congress during the next ensuing session; and I direct that the reasonable and necessary expenses of travel and sojourn of the said E. O. Shakespeare in proceeding from Washington to Spain and elsewhere in Europe as he may find it absolutely necessary to go in pursuit of the desired information, and in returning to Washington at the conclusion of his labors, be adjusted and paid from the appropriation available under the aforesaid act of March 3, 1885, upon his statement of account approved by the Secretary of State.

Done at the city of Washington, this 1st day of October, 1885, and of the Independence of the United States the one hundred and tenth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD, *Secretary of State.*

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following special rule for the regulation and improvement of the executive civil service is hereby made and promulgated:

SPECIAL RULE NO. 5.

Special Rule No. 2, approved July 18, 1884, is hereby revoked. All applicants on any register for the postal or customs service who on the 1st day of November next shall have been thereon one year or more shall, in conformity with Rule XVI, be no longer eligible for appointment from such register.

Approved, October 1, 1885.

GROVER CLEVELAND

EXECUTIVE MANSION,
Washington, October 24, 1885.

Under a provision of an act of Congress entitled "An act to authorize the appointment of a commission by the President of the United States to run and mark the boundary lines between a portion of the Indian Territory and the State of Texas, in connection with a similar commission to be appointed by the State of Texas," Major S. M. Mansfield, Corps of Engineers, is detailed, in addition to those officers named in Executive order dated September 23, 1885, in obedience to the provisions of said act of Congress, to act in conjunction with such persons as have been appointed by the State of Texas to ascertain and mark the point where the one hundredth meridian of longitude crosses the Red River.

GROVER CLEVELAND.

EXECUTIVE MANSION, *October 29, 1885.**

The death of George B. McClellan, at one time the Major-General Commanding the Army of the United States, took place at an early hour this morning. As a mark of public respect to the memory of this distinguished soldier and citizen, whose military ability and civic virtues have shed luster upon the history of his country, it is ordered by the President that the national flag be displayed at half-mast upon all the buildings of the Executive Departments in the city until after his funeral shall have taken place.

DANIEL S. LAMONT,
Private Secretary.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, November 25, 1885.

I. The following proclamation [order] of the President of the United States is published for the information and guidance of all concerned:

EXECUTIVE MANSION,
Washington, November 25, 1885.

To the People of the United States:

Thomas A. Hendricks, Vice-President of the United States, died to-day at 5 o'clock p. m. at Indianapolis, and it becomes my mournful duty to announce the distressing fact to his fellow-countrymen.

In respect to the memory and the eminent and varied services of this high official and patriotic public servant, whose long career was so full of usefulness and honor to his State and to the United States, it is ordered that the national flag be displayed at half-mast upon all the public buildings of the United States; that the Executive Mansion and the several Executive Departments in the city of Washington be closed on the day of the funeral and be draped in mourning for the period of thirty days; that the usual and appropriate military and naval honors be rendered, and that on all the legations and consulates of the United States in foreign countries the national flag shall be displayed at half-mast on the reception of this order, and the usual emblems of mourning be adopted for thirty days.

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* Sent to the heads of the Executive Departments, etc.

GROVER CLEVELAND.

By the President:
T. F. BAYARD,
Secretary of State.

II. On the day next succeeding the receipt of this order at each military post the troops will be paraded at 10 o'clock a. m. and this order read to them.

The national flag will be displayed at half-mast. At dawn of day thirteen guns will be fired. Commencing at 12 o'clock m., nineteen minute guns will be fired, and at the close of the day the national salute of thirty-eight guns.

The usual badge of mourning will be worn by officers of the Army, and the colors of the several regiments, of the United States Corps of Cadets, and of the Battalion of Engineers will be put in mourning for the period of thirty days.

By order of the Secretary of War:

R. C. DRUM,
Adjutant-General.

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, November 25, 1885.

The President of the United States announces the death of Vice-President Thomas A. Hendricks in the following order:

[For order see preceding page.]

In pursuance of the foregoing order, it is hereby directed that upon the day following the receipt of this the ensign at each United States naval station and of each United States naval vessel in commission be hoisted at half-mast from sunrise to sunset, and that thirteen guns be fired at sunrise, nineteen minute guns at meridian, and a national salute at sunset at each United States naval station and on board flagships and vessels acting singly, at home or abroad.

The officers of the Navy and Marine Corps will wear the usual badge of mourning for three months.

WILLIAM C. WHITNEY,
Secretary of the Navy.

In the exercise of the power vested in the President by the Constitution, and by virtue of the seventeen hundred and fifty-third section of the Revised Statutes and of the civil-service act approved January 16, 1883, the following rules for the regulation and improvement of the executive civil service are hereby amended and promulgated so as to read as follows:

RULE IV.

1. All officials connected with any office where or for which any examination is to take place will give the Civil Service Commission and the chief examiner such information as may be reasonably required to enable the Commission to select competent and trustworthy examiners; and the examinations by those selected as examiners, and the work incident thereto, will be regarded as a part of the public business to be performed at such office, and with due regard to other parts of the public business said examiners shall be allowed time during office hours to perform the duties required of them.

2. It shall be the duty of every executive officer promptly to inform the Commission, in writing, of the removal or discharge from the public service of any examiner in his office, or of the inability or refusal of any such examiner to act in that capacity; and, on the request of the Commission, such officer shall thereupon name not less than two persons serving under him whom he regards as most competent for a place on an examining board, stating generally their qualifications; and from all those who may be named for any such place the Commission shall select a person to fill the same.

RULE XI.

1. Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subjects: (1) Full name, residence, and post-office address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) right of preference by reason of military or naval service; (7) previous employment in the public service; (8) business or employment and residence for the previous five years; (9) education. Such other information shall be furnished as the Commission may reasonably require touching the applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section 8 of the civil-service act, which is as follows:

"That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable."

No person dismissed from the public service for misconduct shall be admitted to examination within two years thereafter, and no person not absolutely appointed or employed after probation shall be admitted to an examination within one year thereafter.

2. No person under enlistment in the Army or Navy of the United States shall be examined under these rules, except for some place requiring special qualifications, and with the consent in writing of the head of the Department under which he is enlisted.

3. The Commission may, by regulations subject to change at any time by the President, declare the kind and measure of ill health, physical incapacity, misrepresentation, and bad faith which may properly exclude any person from the right of examination, grading, or certification under these rules. It may also provide for medical certificates of physical capacity in the proper cases, and for the appropriate

certification of persons so defective in sight, speech, hearing, or otherwise as to be apparently disqualified for some of the duties of the part of the service which they seek to enter.

RULE XII.

1. Every regular application must be supported by proper certificates of good moral character, health, and physical and mental capacity for doing the public work, the certificates to be in such form and number as the regulations of the Commission shall provide; but no certificate will be received which is inconsistent with the tenth section of the civil-service act.

2. No one shall be examined for admission to the classified postal service if under 16 or over 35 years of age, excepting messengers, stampers, and other junior assistants, who must not be under 14 years of age, or to the classified customs service or to the classified departmental service if under 18 or over 45 years of age; but no one shall be examined for appointment to any place in the classified customs service, except that of clerk or messenger, who is under 21 years of age; but these limitations of age shall not apply to persons honorably discharged from the military or naval service of the country who are otherwise duly qualified.

RULE XVI.

1. Whenever any officer having the power of appointment or employment shall so request, there shall be certified to him by the Commission or the proper examining board four names for the vacancy specified, to be taken from those graded highest on the proper register of those in his branch of the service and remaining eligible, regard being had for any right of preference and to the apportionments to States and Territories; and from the said four a selection shall be made for the vacancy. But if a person is on both a general and a special register he need not be certified for the former, except at the discretion of the Commission, until he has remained two months upon the latter.

2. These certifications for the service at Washington shall be made in such order as to apportion, as nearly as may be practicable, the original appointments thereto among the States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

3. In case the request for any such certification or any law or regulation shall call for those of either sex, persons of that sex shall be certified; otherwise sex shall be disregarded in such certification.

4. Subject to the other provisions of this rule, persons eligible on any register shall be entitled to three certifications only to the same officer, but with his request in writing there may be a fourth certification of such persons to him when reached in order. No one shall remain eligible for more than one year upon any register, except as may be provided by regulation; but these restrictions shall not extend to examinations under clause 5 of Rule VII. No person while remaining eligible on any register shall be admitted to a new examination, and no person having failed upon any examination shall within six months be admitted to another examination without the consent of the Commission.

5. Any person appointed to or employed in any place in the classified service who shall be dismissed or separated therefrom without fault or delinquency on his part may be reappointed or reemployed in the same Department or office, at a grade for which no higher examination is required than that for the position he last held, within one year next following such dismissal or separation, without further examination, on such certification as the Commission may provide.

RULE XVII.

1. Every original appointment or employment in said classified service shall be for the probationary period of six months, at the end of which time, if the conduct and

capacity of the person appointed have been found satisfactory to the officer having the duty of selection, the probationer shall be absolutely appointed or employed, but otherwise be deemed out of the service.

2. Every officer under whom any probationer shall serve during any part of the probation provided for by these rules shall carefully observe the quality and value of the service rendered by such probationer, and shall report to the proper appointing officer in writing the facts observed by him, showing the character and qualifications of such probationer and of the service performed by him; and such reports shall be preserved on file.

3. Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, and every deception or fraud practiced by him or by any person in his behalf and with his knowledge to influence his examination, certification, or appointment, shall be regarded as good cause for refusing to certify such person or for the removal or discharge of such person during his probation or thereafter.

RULE XIX.

There are excepted from examination the following: (1) The confidential clerk or secretary of any head of a Department or office; (2) cashiers of collectors; (3) cashiers of postmasters; (4) superintendents of money-order divisions in post-offices; (5) the direct custodians of money for whose fidelity another officer is under official bond, and disbursing officers having the custody of money who give bond; but these exceptions shall not extend to any official below the grade of assistant cashier or teller; (6) persons employed exclusively in the secret service of the Government, or as translators, or interpreters, or stenographers; (7) persons whose employment is exclusively professional, but medical examiners are not included among such persons; (8) chief clerks, deputy collectors, deputy naval officers, deputy surveyors of customs, and superintendents or chiefs of divisions or bureaus. But no person so excepted shall be either transferred, appointed, or promoted, unless to some excepted place, without an examination under the Commission, which examination shall not take place within six months after entering the service. Promotions may be made without examination in offices where examinations are not now held until rules on the subject shall be promulgated.

RULE XXI.

1. No person, unless excepted under Rule XIX, shall be admitted into the classified civil service from any place not within said service without an examination and certification under the rules; with this exception, that any person who shall have been an officer for one year or more last preceding in any Department or office, in a grade above the classified service thereof, may be transferred or appointed to any place in the service of the same without examination.

2. No person who has passed only a limited examination under clause 4 of Rule VII for the lower classes or grades in the departmental or customs service shall be appointed, or be promoted within two years after appointment, to any position giving a salary of $1,000 or upward, without first passing an examination under clause 1 of said rule; and such examination shall not be allowed within the first year after appointment.

3. But a person who has passed the examination under said clause 1, and has accepted a position giving a salary of $900 or less, shall have the same right of promotion as if originally appointed to a position giving a salary of $1,000 or more.

4. The Commission may at any time certify for a $900 or any lower place in the classified service any person upon the register who has passed the examination under clause 1 of Rule VII if such person does not object before such certification is made.

RULE XXII.

Any person who has been in the classified departmental service for six months or more immediately previous may, when the needs of the service require it, be transferred or appointed to any other place therein upon producing a certificate from the Civil Service Commission that such person has passed at the required grade one or more examinations which are together equal to that necessary for original entrance to the place which would be secured by the transfer or appointment; and any person who has for three years last preceding served as a clerk in the office of the President of the United States may be transferred or appointed to any place in the classified service without examination.

Approved, November 27, 1885. GROVER CLEVELAND.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION,
Washington, November 28, 1885.

It is hereby ordered, That the Department of Agriculture, the Government Printing Office, and all other Government offices in the District of Columbia be closed on Tuesday, December 1, 1885, the day of the funeral of the late Thomas A. Hendricks, Vice-President of the United States.

GROVER CLEVELAND.

FIRST ANNUAL MESSAGE.

WASHINGTON, *December 8, 1885.*

To the Congress of the United States:

Your assembling is clouded by a sense of public bereavement, caused by the recent and sudden death of Thomas A. Hendricks, Vice-President of the United States. His distinguished public services, his complete integrity and devotion to every duty, and his personal virtues will find honorable record in his country's history.

Ample and repeated proofs of the esteem and confidence in which he was held by his fellow-countrymen were manifested by his election to offices of the most important trust and highest dignity; and at length, full of years and honors, he has been laid at rest amid universal sorrow and benediction.

The Constitution, which requires those chosen to legislate for the people to annually meet in the discharge of their solemn trust, also requires the President to give to Congress information of the state of the Union and recommend to their consideration such measures as he shall deem necessary and expedient. At the threshold of a compliance with these constitutional directions it is well for us to bear in mind that our usefulness to the people's interests will be promoted by a constant appreciation of the scope and character of our respective duties as they relate to Federal legislation. While the Executive may recommend such measures as he shall deem expedient, the responsibility for legislative action must and should rest upon those selected by the people to make their laws.

Contemplation of the grave and responsible functions assigned to the respective branches of the Government under the Constitution will disclose the partitions of power between our respective departments and their necessary independence, and also the need for the exercise of all the power intrusted to each in that spirit of comity and cooperation which is essential to the proper fulfillment of the patriotic obligations which rest upon us as faithful servants of the people.

The jealous watchfulness of our constituencies, great and small, supplements their suffrages, and before the tribunal they establish every public servant should be judged.

It is gratifying to announce that the relations of the United States with all foreign powers continue to be friendly. Our position after nearly a century of successful constitutional government, maintenance of good faith in all our engagements, the avoidance of complications with other nations, and our consistent and amicable attitude toward the strong and weak alike furnish proof of a political disposition which renders professions of good will unnecessary. There are no questions of difficulty pending with any foreign government.

The Argentine Government has revived the long dormant question of the Falkland Islands by claiming from the United States indemnity for their loss, attributed to the action of the commander of the sloop of war *Lexington* in breaking up a piratical colony on those islands in 1831, and their subsequent occupation by Great Britain. In view of the ample justification for the act of the *Lexington* and the derelict condition of the islands before and after their alleged occupation by Argentine colonists, this Government considers the claim as wholly groundless.

Question has arisen with the Government of Austria-Hungary touching the representation of the United States at Vienna. Having under my constitutional prerogative appointed an estimable citizen of unimpeached probity and competence as minister at that court, the Government of Austria-Hungary invited this Government to take cognizance of certain exceptions, based upon allegations against the personal acceptability of Mr. Keiley, the appointed envoy, asking that in view thereof the appointment should be withdrawn. The reasons advanced were such as could not be acquiesced in without violation of my oath of office and the precepts of the Constitution, since they necessarily involved a limitation in favor of a foreign government upon the right of selection by the Executive and required such an application of a religious test as a qualification for office under the United States as would have resulted in the practical disfranchisement of a large class of our citizens and the abandonment of a vital principle in our Government. The Austro-Hungarian Government finally decided not to receive Mr. Keiley as the envoy of the United States, and that gentleman has since resigned his commission, leaving the post vacant. I have made no new nomination, and the interests of this Government at Vienna are now in the care of the secretary of legation, acting as chargé d'affaires *ad interim*.

Early in March last war broke out in Central America, caused by the attempt of Guatemala to consolidate the several States into a single government. In these contests between our neighboring States the United States forebore to interfere actively, but lent the aid of their friendly offices in deprecation of war and to promote peace and concord among the belligerents, and by such counsel contributed importantly to the restoration of tranquillity in that locality.

Emergencies growing out of civil war in the United States of Colombia demanded of the Government at the beginning of this Administration the employment of armed forces to fulfill its guaranties under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama. Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to "positively and efficaciously" preventing the transit and its accessories from being "interrupted or embarrassed."

The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia.

The prompt and successful fulfillment of its duty by this Government was highly appreciated by the Government of Colombia. and has been followed by expressions of its satisfaction.

High praise is due to the officers and men engaged in this service.

The restoration of peace on the Isthmus by the reestablishment of the constituted Government there being thus accomplished, the forces of the United States were withdrawn.

Pending these occurrences a question of much importance was presented by decrees of the Colombian Government proclaiming the closure of certain ports then in the hands of insurgents and declaring vessels held by the revolutionists to be piratical and liable to capture by any power. To neither of these propositions could the United States assent. An effective closure of ports not in the possession of the Government, but held by hostile partisans, could not be recognized; neither could the vessels of insurgents against the legitimate sovereignty be deemed *hostes humani generis* within the precepts of international law, whatever might be the definition and penalty of their acts under the municipal law of the State against whose authority they were in revolt. The denial by this Government of the Colombian propositions did not, however, imply the admission of a belligerent status on the part of the insurgents.

The Colombian Government has expressed its willingness to negotiate conventions for the adjustment by arbitration of claims by foreign citizens arising out of the destruction of the city of Aspinwall by the insurrectionary forces.

The interest of the United States in a practicable transit for ships across the strip of land separating the Atlantic from the Pacific has been repeatedly manifested during the last half century.

My immediate predecessor caused to be negotiated with Nicaragua a treaty for the construction, by and at the sole cost of the United States, of a canal through Nicaraguan territory, and laid it before the Senate. Pending the action of that body thereon, I withdrew the treaty for reexamination. Attentive consideration of its provisions leads me to withhold it from resubmission to the Senate.

Maintaining, as I do, the tenets of a line of precedents from Washington's day, which proscribe entangling alliances with foreign states, I do not favor a policy of acquisition of new and distant territory or the incorporation of remote interests with our own.

The laws of progress are vital and organic, and we must be conscious of that irresistible tide of commercial expansion which, as the concomitant of our active civilization, day by day is being urged onward by those increasing facilities of production, transportation, and communication to which steam and electricity have given birth; but our duty in the present instructs us to address ourselves mainly to the development of the vast resources of the great area committed to our charge and to the cultivation of the arts of peace within our own borders, though jealously alert in preventing the American hemisphere from being involved in the political problems and complications of distant governments. Therefore I am unable to recommend propositions involving paramount privileges of ownership or right outside of our own territory, when coupled with absolute and unlimited engagements to defend the territorial integrity of the state where such interests lie. While the general project of connecting the two oceans by means of a canal is to be encouraged, I am of opinion that any scheme to that end to be considered with favor should be free from the features alluded to.

The Tehuantepec route is declared by engineers of the highest repute and by competent scientists to afford an entirely practicable transit for vessels and cargoes, by means of a ship railway, from the Atlantic to the Pacific. The obvious advantages of such a route, if feasible, over others more remote from the axial lines of traffic between Europe and the Pacific, and particularly between the Valley of the Mississippi and the western coast of North and South America, are deserving of consideration.

Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit—a trust for mankind, to be removed from the chance of domination by any single power, nor become a point of invitation for hostilities or a prize for warlike ambition. An engagement combining the construction, ownership, and operation of such a work by this Government, with an offensive and defensive alliance for its protection, with the foreign state whose responsibilities and rights we would share is, in my judgment, inconsistent with such dedication to universal and neutral use, and would, moreover, entail measures for its realization beyond the scope of our national polity or present means.

The lapse of years has abundantly confirmed the wisdom and foresight of those earlier Administrations which, long before the conditions of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of interoceanic transit across the American Isthmus and consecrated it in advance to the common use of mankind by their positive declarations and through the formal obligation of treaties. Toward such realization the efforts of my Administration will be applied, ever bearing in mind the principles on which it must rest, and which were declared in no uncertain tones by Mr. Cass, who, while Secretary of State, in 1858, announced that "what the United States want in Central America, next to the happiness of its people, is the security and neutrality of the interoceanic routes which lead through it."

The construction of three transcontinental lines of railway, all in successful operation, wholly within our territory, and uniting the Atlantic and the Pacific oceans, has been accompanied by results of a most interesting and impressive nature, and has created new conditions, not in the routes of commerce only, but in political geography, which powerfully affect our relations toward and necessarily increase our interests in any transisthmian route which may be opened and employed for the ends of peace and traffic, or, in other contingencies, for uses inimical to both.

Transportation is a factor in the cost of commodities scarcely second to that of their production, and weighs as heavily upon the consumer.

Our experience already has proven the great importance of having the competition between land carriage and water carriage fully developed, each acting as a protection to the public against the tendencies to monopoly which are inherent in the consolidation of wealth and power in the hands of vast corporations.

These suggestions may serve to emphasize what I have already said on the score of the necessity of a neutralization of any interoceanic transit; and this can only be accomplished by making the uses of the route open to all nations and subject to the ambitions and warlike necessities of none.

The drawings and report of a recent survey of the Nicaragua Canal route, made by Chief Engineer Menocal, will be communicated for your information.

The claims of citizens of the United States for losses by reason of the late military operations of Chile in Peru and Bolivia are the subject of negotiation for a claims convention with Chile, providing for their submission to arbitration.

The harmony of our relations with China is fully sustained.

In the application of the acts lately passed to execute the treaty of 1880, restrictive of the immigration of Chinese laborers into the United States, individual cases of hardship have occurred beyond the power of the Executive to remedy, and calling for judicial determination.

The condition of the Chinese question in the Western States and Territories is, despite this restrictive legislation, far from being satisfactory. The recent outbreak in Wyoming Territory, where numbers of unoffending Chinamen, indisputably within the protection of the treaties and the law, were murdered by a mob, and the still more recent threatened outbreak of the same character in Washington Territory, are fresh in the minds of all, and there is apprehension lest the bitterness of feeling against the Mongolian race on the Pacific Slope may find vent in similar lawless demonstrations. All the power of this Government should be exerted to maintain the amplest good faith toward China in the treatment of these men, and the inflexible sternness of the law in bringing the wrongdoers to justice should be insisted upon.

Every effort has been made by this Government to prevent these violent outbreaks and to aid the representatives of China in their investigation of these outrages; and it is but just to say that they are traceable to the lawlessness of men not citizens of the United States engaged in competition with Chinese laborers.

Race prejudice is the chief factor in originating these disturbances, and it exists in a large part of our domain, jeopardizing our domestic peace and the good relationship we strive to maintain with China.

The admitted right of a government to prevent the influx of elements hostile to its internal peace and security may not be questioned, even where there is no treaty stipulation on the subject. That the exclusion of Chinese labor is demanded in other countries where like conditions prevail is strongly evidenced in the Dominion of Canada, where Chinese immigration is now regulated by laws more exclusive than our own. If existing laws are inadequate to compass the end in view, I shall be prepared to give earnest consideration to any further remedial measures, within the treaty limits, which the wisdom of Congress may devise.

The independent State of the Kongo has been organized as a government under the sovereignty of His Majesty the King of the Belgians, who assumes its chief magistracy in his personal character only, without making the new State a dependency of Belgium. It is fortunate that a benighted region, owing all it has of quickening civilization to the beneficence and philanthropic spirit of this monarch, should have the advantage and security of his benevolent supervision.

The action taken by this Government last year in being the first to recognize the flag of the International Association of the Kongo has been followed by formal recognition of the new nationality which succeeds to its sovereign powers.

A conference of delegates of the principal commercial nations was held at Berlin last winter to discuss methods whereby the Kongo basin might be kept open to the world's trade. Delegates attended on behalf of the United States on the understanding that their part should be merely deliberative, without imparting to the results any binding character so far as the United States were concerned. This reserve was due to the indisposition of this Government to share in any disposal by an international congress of jurisdictional questions in remote foreign territories. The results of the conference were embodied in a formal act of the nature of an international convention, which laid down certain obligations purporting to be binding on the signatories, subject to ratification within one year. Notwithstanding the reservation under which the delegates of the United States attended, their signatures were attached to the general act in the same manner as those of the plenipotentiaries of other governments, thus making the United States appear, without reserve or qualification, as signatories to a joint international engagement imposing on the signers the conservation of the territorial integrity of distant regions where we have no established interests or control.

This Government does not, however, regard its reservation of liberty of action in the premises as at all impaired; and holding that an engagement to share in the obligation of enforcing neutrality in the remote valley of the Kongo would be an alliance whose responsibilities we are not in a position to assume, I abstain from asking the sanction of the Senate to that general act.

The correspondence will be laid before you, and the instructive and interesting report of the agent sent by this Government to the Kongo country and his recommendations for the establishment of commercial agencies on the African coast are also submitted for your consideration.

The commission appointed by my predecessor last winter to visit the Central and South American countries and report on the methods of enlarging the commercial relations of the United States therewith has submitted reports, which will be laid before you.

No opportunity has been omitted to testify the friendliness of this Government toward Korea, whose entrance into the family of treaty powers the United States were the first to recognize. I regard with favor the application made by the Korean Government to be allowed to employ American officers as military instructors, to which the assent of Congress becomes necessary, and I am happy to say this request has the concurrent sanction of China and Japan.

The arrest and imprisonment of Julio R. Santos, a citizen of the United States, by the authorities of Ecuador gave rise to a contention with that Government, in which his right to be released or to have a speedy and impartial trial on announced charges and with all guaranties of defense stipulated by treaty was insisted upon by us. After an elaborate correspondence and repeated and earnest representations on our part Mr.

Santos was, after an alleged trial and conviction, eventually included in a general decree of amnesty and pardoned by the Ecuadorian Executive and released, leaving the question of his American citizenship denied by the Ecuadorian Government, but insisted upon by our own.

The amount adjudged by the late French and American Claims Commission to be due from the United States to French claimants on account of injuries suffered by them during the War of Secession, having been appropriated by the last Congress, has been duly paid to the French Government.

The act of February 25, 1885, provided for a preliminary search of the records of French prize courts for evidence bearing on the claims of American citizens against France for spoliations committed prior to 1801. The duty has been performed, and the report of the agent will be laid before you.

I regret to say that the restrictions upon the importation of our pork into France continue, notwithstanding the abundant demonstration of the absence of sanitary danger in its use; but I entertain strong hopes that with a better understanding of the matter this vexatious prohibition will be removed. It would be pleasing to be able to say as much with respect to Germany, Austria, and other countries, where such food products are absolutely excluded, without present prospect of reasonable change.

The interpretation of our existing treaties of naturalization by Germany during the past year has attracted attention by reason of an apparent tendency on the part of the Imperial Government to extend the scope of the residential restrictions to which returning naturalized citizens of German origin are asserted to be liable under the laws of the Empire. The temperate and just attitude taken by this Government with regard to this class of questions will doubtless lead to a satisfactory understanding.

The dispute of Germany and Spain relative to the domination of the Caroline Islands has attracted the attention of this Government by reason of extensive interests of American citizens having grown up in those parts during the past thirty years, and because the question of ownership involves jurisdiction of matters affecting the status of our citizens under civil and criminal law. While standing wholly aloof from the proprietary issues raised between powers to both of which the United States are friendly, this Government expects that nothing in the present contention shall unfavorably affect our citizens carrying on a peaceful commerce or there domiciled, and has so informed the Governments of Spain and Germany.

The marked good will between the United States and Great Britain has been maintained during the past year.

The termination of the fishing clauses of the treaty of Washington, in pursuance of the joint resolution of March 3, 1883, must have resulted in the abrupt cessation on the 1st of July of this year, in the midst of their ventures, of the operations of citizens of the United States engaged in fishing in British American waters but for a diplomatic understanding reached with Her Majesty's Government in June last, whereby assurance was obtained that no interruption of those operations should take place during the current fishing season.

In the interest of good neighborhood and of the commercial intercourse of adjacent communities, the question of the North American fisheries is one of much importance. Following out the intimation given by me when the extensory arrangement above described was negotiated, I recommend that the Congress provide for the appointment of a commission in which the Governments of the United States and Great Britain shall be respectively represented, charged with the consideration and settlement, upon a just, equitable, and honorable basis, of the entire question of the fishing rights of the two Governments and their respective citizens on the coasts of the United States and British North America. The fishing interests being intimately related to other general questions dependent upon contiguity and intercourse, consideration thereof in all their equities might also properly come within the purview of such a commission, and the fullest latitude of expression on both sides should be permitted.

The correspondence in relation to the fishing rights will be submitted.

The arctic exploring steamer *Alert*, which was generously given by Her Majesty's Government to aid in the relief of the Greely expedition, was, after the successful attainment of that humane purpose, returned to Great Britain, in pursuance of the authority conferred by the act of March 3, 1885.

The inadequacy of the existing engagements for extradition between the United States and Great Britain has been long apparent. The tenth article of the treaty of 1842, one of the earliest compacts in this regard entered into by us, stipulated for surrender in respect of a limited number of offenses. Other crimes no less inimical to the social welfare should be embraced and the procedure of extradition brought in harmony with present international practice. Negotiations with Her Majesty's Government for an enlarged treaty of extradition have been pending since 1870, and I entertain strong hopes that a satisfactory result may be soon attained.

The frontier line between Alaska and British Columbia, as defined by the treaty of cession with Russia, follows the demarcation assigned in a prior treaty between Great Britain and Russia. Modern exploration discloses that this ancient boundary is impracticable as a geographical fact. In the unsettled condition of that region the question has lacked importance, but the discovery of mineral wealth in the territory the line is supposed to traverse admonishes that the time has come when an accurate knowledge of the boundary is needful to avert jurisdictional complications.

I recommend, therefore, that provision be made for a preliminary reconnoissance by officers of the United States, to the end of acquiring more precise information on the subject. I have invited Her Majesty's Government to consider with us the adoption of a more convenient line, to be established by meridian observations or by known geographical features without the necessity of an expensive survey of the whole.

The late insurrectionary movements in Hayti having been quelled, the Government of that Republic has made prompt provision for adjudicating the losses suffered by foreigners because of hostilities there, and the claims of certain citizens of the United States will be in this manner determined.

The long-pending claims of two citizens of the United States, Pelletier and Lazare, have been disposed of by arbitration, and an award in favor of each claimant has been made, which by the terms of the engagement is final. It remains for Congress to provide for the payment of the stipulated moiety of the expenses.

A question arose with Hayti during the past year by reason of the exceptional treatment of an American citizen, Mr. Van Bokkelen, a resident of Port-au-Prince, who, on suit by creditors residing in the United States, was sentenced to imprisonment, and, under the operation of a Haytian statute, was denied relief secured to a native Haytian. This Government asserted his treaty right to equal treatment with natives of Hayti in all suits at law. Our contention was denied by the Haytian Government, which, however, while still professing to maintain the ground taken against Mr. Van Bokkelen's right, terminated the controversy by setting him at liberty without explanation.

An international conference to consider the means of arresting the spread of cholera and other epidemic diseases was held at Rome in May last, and adjourned to meet again on further notice. An expert delegate on behalf of the United States has attended its sessions and will submit a report.

Our relations with Mexico continue to be most cordial, as befits those of neighbors between whom the strongest ties of friendship and commercial intimacy exist, as the natural and growing consequence of our similarity of institutions and geographical propinquity.

The relocation of the boundary line between the United States and Mexico westward of the Rio Grande, under the convention of July 29, 1882, has been unavoidably delayed, but I apprehend no difficulty in securing a prolongation of the period for its accomplishment.

The lately concluded commercial treaty with Mexico still awaits the stipulated legislation to carry its provisions into effect, for which one year's additional time has been secured by a supplementary article signed in February last and since ratified on both sides.

As this convention, so important to the commercial welfare of the two adjoining countries, has been constitutionally confirmed by the treaty-making branch, I express the hope that legislation needed to make it effective may not be long delayed.

The large influx of capital and enterprise to Mexico from the United States continues to aid in the development of the resources and in augmenting the material well-being of our sister Republic. Lines of railway, penetrating to the heart and capital of the country, bring the two peoples into mutually beneficial intercourse, and enlarged facilities of transit add to profitable commerce, create new markets, and furnish avenues to otherwise isolated communities.

I have already adverted to the suggested construction of a ship railway across the narrow formation of the territory of Mexico at Tehuantepec.

With the gradual recovery of Peru from the effects of her late disastrous conflict with Chile, and with the restoration of civil authority in that distracted country, it is hoped that pending war claims of our citizens will be adjusted.

In conformity with notification given by the Government of Peru, the existing treaties of commerce and extradition between the United States and that country will terminate March 31, 1886.

Our good relationship with Russia continues.

An officer of the Navy, detailed for the purpose, is now on his way to Siberia bearing the testimonials voted by Congress to those who generously succored the survivors of the unfortunate *Jeannette* expedition.

It is gratifying to advert to the cordiality of our intercourse with Spain.

The long-pending claim of the owners of the ship *Masonic* for loss suffered through the admitted dereliction of the Spanish authorities in the Philippine Islands has been adjusted by arbitration and an indemnity awarded. The principle of arbitration in such cases, to which the United States have long and consistently adhered, thus receives a fresh and gratifying confirmation.

Other questions with Spain have been disposed of or are under diplomatic consideration with a view to just and honorable settlement.

The operation of the commercial agreement with Spain of January 2–February 13, 1884, has been found inadequate to the commercial needs of the United States and the Spanish Antilles, and the terms of the agreement are subjected to conflicting interpretations in those islands.

Negotiations have been instituted at Madrid for a full treaty not open to these objections and in the line of the general policy touching the neighborly intercourse of proximate communities, to which I elsewhere advert, and aiming, moreover, at the removal of existing burdens and annoying restrictions; and although a satisfactory termination is promised, I am compelled to delay its announcement.

An international copyright conference was held at Berne in September, on the invitation of the Swiss Government. The envoy of the United States attended as a delegate, but refrained from committing this

Government to the results, even by signing the recommendatory protocol adopted. The interesting and important subject of international copyright has been before you for several years. Action is certainly desirable to effect the object in view; and while there may be question as to the relative advantage of treating it by legislation or by specific treaty, the matured views of the Berne conference can not fail to aid your consideration of the subject.

The termination of the commercial treaty of 1862 between the United States and Turkey has been sought by that Government. While there is question as to the sufficiency of the notice of termination given, yet as the commercial rights of our citizens in Turkey come under the favored-nation guaranties of the prior treaty of 1830, and as equal treatment is admitted by the Porte, no inconvenience can result from the assent of this Government to the revision of the Ottoman tariffs, in which the treaty powers have been invited to join.

Questions concerning our citizens in Turkey may be affected by the Porte's nonacquiescence in the right of expatriation and by the imposition of religious tests as a condition of residence, in which this Government can not concur. The United States must hold in their intercourse with every power that the status of their citizens is to be respected and equal civil privileges accorded to them without regard to creed, and affected by no considerations save those growing out of domiciliary return to the land of original allegiance or of unfulfilled personal obligations which may survive, under municipal laws, after such voluntary return.

The negotiation with Venezuela relative to the rehearing of the awards of the mixed commission constituted under the treaty of 1866 was resumed in view of the recent acquiescence of the Venezuelan envoy in the principal point advanced by this Government, that the effects of the old treaty could only be set aside by the operation of a new convention. A result in substantial accord with the advisory suggestions contained in the joint resolution of March 3, 1883, has been agreed upon and will shortly be submitted to the Senate for ratification.

Under section 3659 of the Revised Statutes all funds held in trust by the United States and the annual interest accruing thereon, when not otherwise required by treaty, are to be invested in stocks of the United States bearing a rate of interest not less than 5 per cent per annum. There being now no procurable stocks paying so high a rate of interest, the letter of the statute is at present inapplicable, but its spirit is subserved by continuing to make investments of this nature in current stocks bearing the highest interest now paid. The statute, however, makes no provision for the disposal of such accretions. It being contrary to the general rule of this Government to allow interest on claims, I recommend the repeal of the provision in question and the disposition, under a uniform rule, of the present accumulations from investment of trust funds.

The inadequacy of existing legislation touching citizenship and naturalization demands your consideration.

While recognizing the right of expatriation, no statutory provision exists providing means for renouncing citizenship by an American citizen, native born or naturalized, nor for terminating and vacating an improper acquisition of citizenship. Even a fraudulent decree of naturalization can not now be canceled. The privilege and franchise of American citizenship should be granted with care, and extended to those only who intend in good faith to assume its duties and responsibilities when attaining its privileges and benefits. It should be withheld from those who merely go through the forms of naturalization with the intent of escaping the duties of their original allegiance without taking upon themselves those of their new status, or who may acquire the rights of American citizenship for no other than a hostile purpose toward their original governments. These evils have had many flagrant illustrations.

I regard with favor the suggestion put forth by one of my predecessors that provision be made for a central bureau of record of the decrees of naturalization granted by the various courts throughout the United States now invested with that power.

The rights which spring from domicile in the United States, especially when coupled with a declaration of intention to become a citizen, are worthy of definition by statute. The stranger coming hither with intent to remain, establishing his residence in our midst, contributing to the general welfare, and by his voluntary act declaring his purpose to assume the responsibilities of citizenship, thereby gains an inchoate status which legislation may properly define. The laws of certain States and Territories admit a domiciled alien to the local franchise, conferring on him the rights of citizenship to a degree which places him in the anomalous position of being a citizen of a State and yet not of the United States within the purview of Federal and international law.

It is important within the scope of national legislation to define this right of alien domicile as distinguished from Federal naturalization.

The commercial relations of the United States with their immediate neighbors and with important areas of traffic near our shores suggest especially liberal intercourse between them and us.

Following the treaty of 1883 with Mexico, which rested on the basis of a reciprocal exemption from customs duties, other similar treaties were initiated by my predecessor.

Recognizing the need of less obstructed traffic with Cuba and Puerto Rico, and met by the desire of Spain to succor languishing interests in the Antilles, steps were taken to attain those ends by a treaty of commerce. A similar treaty was afterwards signed by the Dominican Republic. Subsequently overtures were made by Her Britannic Majesty's Government for a like mutual extension of commercial intercourse with the British West Indian and South American dependencies, but without result.

On taking office I withdrew for reexamination the treaties signed with Spain and Santo Domingo, then pending before the Senate. The result has been to satisfy me of the inexpediency of entering into engagements of this character not covering the entire traffic.

These treaties contemplated the surrender by the United States of large revenues for inadequate considerations. Upon sugar alone duties were surrendered to an amount far exceeding all the advantages offered in exchange. Even were it intended to relieve our consumers, it was evident that so long as the exemption but partially covered our importation such relief would be illusory. To relinquish a revenue so essential seemed highly improvident at a time when new and large drains upon the Treasury were contemplated. Moreover, embarrassing questions would have arisen under the favored-nation clauses of treaties with other nations.

As a further objection, it is evident that tariff regulation by treaty diminishes that independent control over its own revenues which is essential for the safety and welfare of any government. Emergency calling for an increase of taxation may at any time arise, and no engagement with a foreign power should exist to hamper the action of the Government.

By the fourteenth section of the shipping act approved June 26, 1884, certain reductions and contingent exemptions from tonnage dues were made as to vessels entering ports of the United States from any foreign port in North and Central America, the West India Islands, the Bahamas and Bermudas, Mexico, and the Isthmus as far as Aspinwall and Panama. The Governments of Belgium, Denmark, Germany, Portugal, and Sweden and Norway have asserted, under the favored-nation clause in their treaties with the United States, a claim to like treatment in respect of vessels coming to the United States from their home ports. This Government, however, holds that the privileges granted by the act are purely geographical, inuring to any vessel of any foreign power that may choose to engage in traffic between this country and any port within the defined zone, and no warrant exists under the most-favored-nation clause for the extension of the privileges in question to vessels sailing to this country from ports outside the limitation of the act.

Undoubtedly the relations of commerce with our near neighbors, whose territories form so long a frontier line difficult to be guarded, and who find in our country, and equally offer to us, natural markets, demand special and considerate treatment. It rests with Congress to consider what legislative action may increase facilities of intercourse which contiguity makes natural and desirable.

I earnestly urge that Congress recast the appropriations for the maintenance of the diplomatic and consular service on a footing commensurate with the importance of our national interests. At every post where a representative is necessary the salary should be so graded as to permit him to live with comfort. With the assignment of adequate salaries the so-called notarial extraofficial fees, which our officers abroad are now permitted to treat as personal perquisites, should be done away with. Every act requiring the certification and seal of the officer should be taxable at schedule rates and the fee therefor returned to the Treasury. By restoring these revenues to the public use the consular service would be self-supporting, even with a liberal increase of the present low salaries.

In further prevention of abuses a system of consular inspection should be instituted.

The appointment of a limited number of secretaries of legation at large, to be assigned to duty wherever necessary, and in particular for temporary service at missions which for any cause may be without a head, should also be authorized.

I favor also authorization for the detail of officers of the regular service as military or naval attachés at legations.

Some foreign governments do not recognize the union of consular with diplomatic functions. Italy and Venezuela will only receive the appointee in one of his two capacities, but this does not prevent the requirement of a bond and submission to the responsibilities of an office whose duties he can not discharge. The superadded title of consul-general should be abandoned at all missions.

I deem it expedient that a well-devised measure for the reorganization of the extraterritorial courts in Oriental countries should replace the present system, which labors under the disadvantage of combining judicial and executive functions in the same office.

In several Oriental countries generous offers have been made of premises for housing the legations of the United States. A grant of land for that purpose was made some years since by Japan, and has been referred to in the annual messages of my predecessor. The Siamese Government has made a gift to the United States of commodious quarters in Bangkok. In Korea the late minister was permitted to purchase a building from the Government for legation use. In China the premises rented for the legation are favored as to local charges. At Tangier the house occupied by our representative has been for many years the property of this Government, having been given for that purpose in 1822 by the Sultan of Morocco. I approve the suggestion heretofore made, that, in view of the conditions of life and administration in the Eastern countries, the legation buildings in China, Japan, Korea, Siam, and perhaps Persia, should be owned and furnished by the Government with a view to permanency and security. To this end I recommend that authority be given to accept the gifts adverted to in Japan and Siam, and to purchase in the other countries named, with provision for furniture and repairs. A considerable saving in rentals would result.

The World's Industrial Exposition, held at New Orleans last winter, with the assistance of the Federal Government, attracted a large number of foreign exhibits, and proved of great value in spreading among the concourse of visitors from Mexico and Central and South America a wider knowledge of the varied manufactures and productions of this country and their availability in exchange for the productions of those regions.

Past Congresses have had under consideration the advisability of abolishing the discrimination made by the tariff laws in favor of the works of American artists. The odium of the policy which subjects to a high rate of duty the paintings of foreign artists and exempts the productions of American artists residing abroad, and who receive gratuitously advantages and instruction, is visited upon our citizens engaged in art culture in Europe, and has caused them with practical unanimity to favor the abolition of such an ungracious distinction; and in their interest, and for other obvious reasons, I strongly recommend it.

The report of the Secretary of the Treasury fully exhibits the condition of the public finances and of the several branches of the Government connected with his Department. The suggestions of the Secretary relating to the practical operations of this important Department, and his recommendations in the direction of simplification and economy, particularly in the work of collecting customs duties, are especially urged upon the attention of Congress.

The ordinary receipts from all sources for the fiscal year ended June 30, 1885, were $322,690,706.38. Of this sum $181,471,939.34 was received from customs and $112,498,725.54 from internal revenue. The total receipts, as given above, were $24,829,163.54 less than those for the year ended June 30, 1884. This diminution embraces a falling off of $13,595,550.42 in the receipts from customs and $9,687,346.97 in the receipts from internal revenue.

The total ordinary expenditures of the Government for the fiscal year were $260,226,935.50, leaving a surplus in the Treasury at the close of the year of $63,463,771.27. This is $40,929,854.32 less than the surplus reported at the close of the previous year.

The expenditures are classified as follows:

For civil expenses	$23,826,942.11
For foreign intercourse	5,439,609.11
For Indians	6,552,494.63
For pensions	56,102,267.49
For the military, including river and harbor improvements and arsenals	42,670.578.47
For the Navy, including vessels, machinery, and improvements of navy-yards	16,021,079.69
For interest on the public debt	51,386,256.47
For the District of Columbia	3,499,650.95
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	54,728,056.21

The amount paid on the public debt during the fiscal year ended June 30, 1885, was $45,993,235.43, and there has been paid since that date and up to November 1, 1885, the sum of $369,828, leaving the amount of the debt at the last-named date $1,514,475,860.47. There was, however, at that time in the Treasury, applicable to the general purposes of the Government, the sum of $66,818,292.38.

The total receipts for the current fiscal year ending June 30, 1886, ascertained to October 1, 1885, and estimated for the remainder of the year, are $315,000,000. The expenditures ascertained and estimated for the same time are $245,000,000, leaving a surplus at the close of the year estimated at $70,000,000.

The value of the exports from the United States to foreign countries during the last fiscal year was as follows:

Domestic merchandise	$726,682,946.00
Foreign merchandise	15,506,809.00
	742,189,755.00
Gold	8,477,892.00
Silver	33,753,633.00
	784,421,280.00

Some of the principal exports, with their values and the percentage they respectively bear to the total exportation, are given as follows:

Articles.	Value.	Percentage.
Cotton and cotton manufactures	$213,799,049	29.42
Breadstuffs	160,370,821	22.07
Provisions	107,332,456	14.77
Oils—mineral, vegetable, and animal	54,326,202	7.48
Tobacco and its manufactures	24,767,305	3.41
Wood and its manufactures	21,464,322	2.95

Our imports during the year were as follows:

Merchandise	$579,580,053.80
Gold	26,691,696.00
Silver	16,550,627.00
	622,822,376.80

The following are given as prominent articles of import during the year, with their values and the percentage they bear to the total importation:

Articles.	Value.	Percentage.
Sugar and molasses	$76,738,713	13.29
Coffee	46,723,318	8.09
Wool and its manufactures	44,656,482	7.73
Silk and its manufactures	40,393,002	6.99
Chemicals, dyes, drugs, and medicines	35,070,816	6.07
Iron and steel and their manufactures	34,563,689	5.98
Flax, hemp, jute, and their manufactures	32,854,874	5.69
Cotton and its manufactures	28,152,001	4.88
Hides and skins other than fur skins	20,586,443	3.56

Of the entire amount of duties collected 70 per cent was collected from the following articles of import:

	Percentage.
Sugar and molasses	29
Wool and its manufactures	15
Silk and its manufactures	8
Iron and steel and their manufactures	7
Cotton manufactures	6
Flax, hemp, and jute, and their manufactures	5

The fact that our revenues are in excess of the actual needs of an economical administration of the Government justifies a reduction in the amount exacted from the people for its support. Our Government is but the means established by the will of a free people by which certain principles are applied which they have adopted for their benefit and protection; and it is never better administered and its true spirit is never better observed than when the people's taxation for its support is scrupulously limited to the actual necessity of expenditure and distributed according to a just and equitable plan.

The proposition with which we have to deal is the reduction of the revenue received by the Government, and indirectly paid by the people, from customs duties. The question of free trade is not involved, nor is there now any occasion for the general discussion of the wisdom or expediency of a protective system.

Justice and fairness dictate that in any modification of our present laws relating to revenue the industries and interests which have been encouraged by such laws, and in which our citizens have large investments, should not be ruthlessly injured or destroyed. We should also deal with the subject in such manner as to protect the interests of American labor, which is the capital of our workingmen. Its stability and proper remuneration furnish the most justifiable pretext for a protective policy.

Within these limitations a certain reduction should be made in our customs revenue. The amount of such reduction having been determined, the inquiry follows, Where can it best be remitted and what articles can best be released from duty in the interest of our citizens?

I think the reduction should be made in the revenue derived from a tax upon the imported necessaries of life. We thus directly lessen the cost of living in every family of the land and release to the people in every humble home a larger measure of the rewards of frugal industry.

During the year ended November 1, 1885, 145 national banks were organized, with an aggregate capital of $16,938,000, and circulating notes have been issued to them amounting to $4,274,910. The whole number of these banks in existence on the day above mentioned was 2,727.

The very limited amount of circulating notes issued by our national banks, compared with the amount the law permits them to issue upon a deposit of bonds for their redemption, indicates that the volume of our circulating medium may be largely increased through this instrumentality.

Nothing more important than the present condition of our currency and coinage can claim your attention.

Since February, 1878, the Government has, under the compulsory provisions of law, purchased silver bullion and coined the same at the rate of more than $2,000,000 every month. By this process up to the present date 215,759,431 silver dollars have been coined.

A reasonable appreciation of a delegation of power to the General Government would limit its exercise, without express restrictive words, to the people's needs and the requirements of the public welfare.

Upon this theory the authority to "coin money" given to Congress by the Constitution, if it permits the purchase by the Government of bullion for coinage in any event, does not justify such purchase and coinage to an extent beyond the amount needed for a sufficient circulating medium.

The desire to utilize the silver product of the country should not lead to a misuse or the perversion of this power.

The necessity for such an addition to the silver currency of the nation as is compelled by the silver-coinage act is negatived by the fact that up to the present time only about 50,000,000 of the silver dollars so coined have actually found their way into circulation, leaving more than 165,000,000 in the possession of the Government, the custody of which has entailed a considerable expense for the construction of vaults for its deposit. Against this latter amount there are outstanding silver certificates amounting to about $93,000,000.

Every month two millions of gold in the public Treasury are paid out for two millions or more of silver dollars, to be added to the idle mass already accumulated.

If continued long enough, this operation will result in the substitution of silver for all the gold the Government owns applicable to its general purposes. It will not do to rely upon the customs receipts of the Government to make good this drain of gold, because the silver thus coined having been made legal tender for all debts and dues, public and private, at times during the last six months 58 per cent of the receipts for duties has been in silver or silver certificates, while the average within that period has been 20 per cent. The proportion of silver and its certificates received by the Government will probably increase as time goes on, for the reason that the nearer the period approaches when it will be obliged to offer silver in payment of its obligations the greater inducement there will be to hoard gold against depreciation in the value of silver or for the purpose of speculating.

This hoarding of gold has already begun.

When the time comes that gold has been withdrawn from circulation, then will be apparent the difference between the real value of the silver dollar and a dollar in gold, and the two coins will part company. Gold, still the standard of value and necessary in our dealings with other countries, will be at a premium over silver; banks which have substituted gold for the deposits of their customers may pay them with silver bought with such gold, thus making a handsome profit; rich speculators will sell their hoarded gold to their neighbors who need it to liquidate their foreign debts, at a ruinous premium over silver, and the laboring men and women of the land, most defenseless of all, will find that the dollar received for the wage of their toil has sadly shrunk in its purchasing power. It may be said that the latter result will be but temporary, and that ultimately the price of labor will be adjusted to the change; but even if this takes place the wage-worker can not possibly gain, but must inevitably lose, since the price he is compelled to pay for his living will not only be measured in a coin heavily depreciated and fluctuating and uncertain in its value, but this uncertainty in the value of the purchasing medium will be made the pretext for an advance in prices beyond that justified by actual depreciation.

The words uttered in 1834 by Daniel Webster in the Senate of the United States are true to-day:

> The very man of all others who has the deepest interest in a sound currency, and who suffers most by mischievous legislation in money matters, is the man who earns his daily bread by his daily toil.

The most distinguished advocate of bimetallism, discussing our silver coinage, has lately written:

> No American citizen's hand has yet felt the sensation of cheapness, either in receiving or expending the silver-act dollars.

And those who live by labor or legitimate trade never will feel that sensation of cheapness. However plenty silver dollars may become, they will not be distributed as gifts among the people; and if the laboring man should receive four depreciated dollars where he now receives but two, he will pay in the depreciated coin more than double the price he now pays for all the necessaries and comforts of life.

Those who do not fear any disastrous consequences arising from the continued compulsory coinage of silver as now directed by law, and who suppose that the addition to the currency of the country intended as its result will be a public benefit, are reminded that history demonstrates that the point is easily reached in the attempt to float at the same time two sorts of money of different excellence when the better will cease to be in general circulation. The hoarding of gold which has already taken place indicates that we shall not escape the usual experience in such cases. So if this silver coinage be continued we may reasonably expect that gold and its equivalent will abandon the field of circulation to silver alone. This of course must produce a severe contraction of our circulating medium, instead of adding to it.

It will not be disputed that any attempt on the part of the Government to cause the circulation of silver dollars worth 80 cents side by side with gold dollars worth 100 cents, even within the limit that legislation does not run counter to the laws of trade, to be successful must be seconded by the confidence of the people that both coins will retain the same purchasing power and be interchangeable at will. A special effort has been made by the Secretary of the Treasury to increase the amount of our silver coin in circulation; but the fact that a large share of the limited amount thus put out has soon returned to the public Treasury in payment of duties leads to the belief that the people do not now desire to keep it in hand, and this, with the evident disposition to hoard gold, gives rise to the suspicion that there already exists a lack of confidence among the people touching our financial processes. There is certainly not enough silver now in circulation to cause uneasiness, and the whole amount coined and now on hand might after a time be absorbed by the people without apprehension; but it is the ceaseless stream that threatens to overflow the land which causes fear and uncertainty.

What has been thus far submitted upon this subject relates almost entirely to considerations of a home nature, unconnected with the bearing which the policies of other nations have upon the question. But it is perfectly apparent that a line of action in regard to our currency can not wisely be settled upon or persisted in without considering the attitude on the subject of other countries with whom we maintain intercourse through commerce, trade, and travel. An acknowledgment of this fact is found in the act by virtue of which our silver is compulsorily coined. It provides that—

> The President shall invite the governments of the countries composing the Latin Union, so called, and of such other European nations as he may deem advisable, to join the United States in a conference to adopt a common ratio between gold and silver for the purpose of establishing internationally the use of bimetallic money and securing fixity of relative value between those metals.

This conference absolutely failed, and a similar fate has awaited all subsequent efforts in the same direction. And still we continue our coinage of silver at a ratio different from that of any other nation. The most vital part of the silver-coinage act remains inoperative and unexecuted, and without an ally or friend we battle upon the silver field in an illogical and losing contest.

To give full effect to the design of Congress on this subject I have made careful and earnest endeavor since the adjournment of the last Congress.

To this end I delegated a gentleman well instructed in fiscal science to proceed to the financial centers of Europe and, in conjunction with our ministers to England, France, and Germany, to obtain a full knowledge of the attitude and intent of those governments in respect of the establishment of such an international ratio as would procure free coinage of both metals at the mints of those countries and our own. By my direction our consul-general at Paris has given close attention to the proceedings of the congress of the Latin Union, in order to indicate our interest in its objects and report its action.

It may be said in brief, as the result of these efforts, that the attitude of the leading powers remains substantially unchanged since the monetary conference of 1881, nor is it to be questioned that the views of these governments are in each instance supported by the weight of public opinion.

The steps thus taken have therefore only more fully demonstrated the uselessness of further attempts at present to arrive at any agreement on the subject with other nations.

In the meantime we are accumulating silver coin, based upon our own peculiar ratio, to such an extent, and assuming so heavy a burden to be provided for in any international negotiations, as will render us an undesirable party to any future monetary conference of nations.

It is a significant fact that four of the five countries composing the Latin Union mentioned in our coinage act, embarrassed with their silver currency, have just completed an agreement among themselves that no more silver shall be coined by their respective Governments and that such as has been already coined and in circulation shall be redeemed in gold by the country of its coinage. The resort to this expedient by these countries may well arrest the attention of those who suppose that we can succeed without shock or injury in the attempt to circulate upon its merits all the silver we may coin under the provisions of our silver-coinage act.

The condition in which our Treasury may be placed by a persistence in our present course is a matter of concern to every patriotic citizen who does not desire his Government to pay in silver such of its obligations as should be paid in gold. Nor should our condition be such as to oblige us, in a prudent management of our affairs, to discontinue the calling in and payment of interest-bearing obligations which we have the right now to discharge, and thus avoid the payment of further interest thereon.

The so-called debtor class, for whose benefit the continued compulsory coinage of silver is insisted upon, are not dishonest because they are in debt, and they should not be suspected of a desire to jeopardize the financial safety of the country in order that they may cancel their present debts by paying the same in depreciated dollars. Nor should it be forgotten that it is not the rich nor the money lender alone that must submit to such a readjustment, enforced by the Government and their debtors. The pittance of the widow and the orphan and the incomes of helpless beneficiaries of all kinds would be disastrously reduced. The depositors in savings banks and in other institutions which hold in trust the savings of the poor, when their little accumulations are scaled down to meet the new order of things, would in their distress painfully realize the delusion of the promise made to them that plentiful money would improve their condition.

We have now on hand all the silver dollars necessary to supply the present needs of the people and to satisfy those who from sentiment wish to see them in circulation, and if their coinage is suspended they can be readily obtained by all who desire them. If the need of more is at any time apparent, their coinage may be renewed.

That disaster has not already overtaken us furnishes no proof that danger does not wait upon a continuation of the present silver coinage. We have been saved by the most careful management and unusual expedients, by a combination of fortunate conditions, and by a confident expectation that the course of the Government in regard to silver coinage would be speedily changed by the action of Congress.

Prosperity hesitates upon our threshold because of the dangers and uncertainties surrounding this question. Capital timidly shrinks from trade, and investors are unwilling to take the chance of the questionable shape in which their money will be returned to them, while enterprise halts at a risk against which care and sagacious management do not protect.

As a necessary consequence, labor lacks employment and suffering and distress are visited upon a portion of our fellow-citizens especially entitled to the careful consideration of those charged with the duties of legislation. No interest appeals to us so strongly for a safe and stable currency as the vast army of the unemployed.

I recommend the suspension of the compulsory coinage of silver dollars, directed by the law passed in February, 1878.

The Steamboat-Inspection Service on the 30th day of June, 1885, was composed of 140 persons, including officers, clerks, and messengers. The expenses of the service over the receipts were $138,822.22 during the fiscal year. The special inspection of foreign steam vessels, organized under a law passed in 1882, was maintained during the year at an expense of $36,641.63. Since the close of the fiscal year reductions have been made in the force employed which will result in a saving during the current year of $17,000 without affecting the efficiency of the service.

The Supervising Surgeon-General reports that during the fiscal year 41,714 patients have received relief through the Marine-Hospital Service, of whom 12,803 were treated in hospitals and 28,911 at the dispensaries.

Active and effective efforts have been made through the medium of this service to protect the country against an invasion of cholera, which has prevailed in Spain and France, and the smallpox, which recently broke out in Canada.

The most gratifying results have attended the operations of the Life-Saving Service during the last fiscal year. The observance of the provision of law requiring the appointment of the force employed in this service to be made "solely with reference to their fitness, and without reference to their political or party affiliation," has secured the result which may confidently be expected in any branch of public employment where such a rule is applied. As a consequence, this service is composed of men well qualified for the performance of their dangerous and exceptionally important duties.

The number of stations in commission at the close of the year was 203. The number of disasters to vessels and craft of all kinds within their field of action was 371. The number of persons endangered in such disasters was 2,439, of whom 2,428 were saved and only 11 lost. Other lives which were imperiled, though not by disasters to shipping, were also rescued, and a large amount of property was saved through the aid of this service. The cost of its maintenance during the year was $828,474.43.

The work of the Coast and Geodetic Survey was during the last fiscal year carried on within the boundaries and off the coasts of thirty-two States, two Territories, and the District of Columbia. In July last certain irregularities were found to exist in the management of this Bureau, which led to a prompt investigation of its methods. The abuses which were brought to light by this examination and the reckless disregard of duty and the interests of the Government developed on the part of some of those connected with the service made a change of superintendency and a few of its other officers necessary. Since the Bureau has been in new hands an introduction of economies and the application of business methods have produced an important saving to the Government and a promise of more useful results.

This service has never been regulated by anything but the most indefinite legal enactments and the most unsatisfactory rules. It was many years ago sanctioned apparently for a purpose regarded as temporary and related to a survey of our coast. Having gained a place in the appropriations made by Congress, it has gradually taken to itself powers and objects not contemplated in its creation and extended its operations until it sadly needs legislative attention.

So far as a further survey of our coast is concerned, there seems to be a propriety in transferring that work to the Navy Department. The other duties now in charge of this establishment, if they can not be profitably attached to some existing Department or other bureau, should be prosecuted under a law exactly defining their scope and purpose, and with a careful discrimination between the scientific inquiries which may properly be assumed by the Government and those which should be undertaken by State authority or by individual enterprise.

It is hoped that the report of the Congressional committee heretofore appointed to investigate this and other like matters will aid in the accomplishment of proper legislation on this subject.

The report of the Secretary of War is herewith submitted. The attention of Congress is invited to the detailed account which it contains of the administration of his Department, and his recommendations and suggestions for the improvement of the service.

The Army consisted, at the date of the last consolidated returns, of 2,154 officers and 24,705 enlisted men.

The expenses of the Departments for the fiscal year ended June 30, 1885, including $13,164,394.60 for public works and river and harbor improvements, were $45,850,999.54.

Besides the troops which were dispatched in pursuit of the small band of Indians who left their reservation in Arizona and committed murders and outrages, two regiments of cavalry and one of infantry were sent last July to the Indian Territory to prevent an outbreak which seemed imminent. They remained to aid, if necessary, in the expulsion of intruders upon the reservation, who seemed to have caused the discontent among the Indians, but the Executive proclamation* warning them to remove was complied with without their interference.

Troops were also sent to Rock Springs, in Wyoming Territory, after the massacre of Chinese there, to prevent further disturbance, and afterwards to Seattle, in Washington Territory, to avert a threatened attack upon Chinese laborers and domestic violence there. In both cases the mere presence of the troops had the desired effect.

It appears that the number of desertions has diminished, but that during the last fiscal year they numbered 2,927; and one instance is given by the Lieutenant-General of six desertions by the same recruit. I am convinced that this number of desertions can be much diminished by better discipline and treatment; but the punishment should be increased for repeated offenses.

These desertions might also be reduced by lessening the term of first enlistments, thus allowing a discontented recruit to contemplate a nearer discharge and the Army a profitable riddance. After one term of service a reenlistment would be quite apt to secure a contented recruit and a good soldier.

The Acting Judge-Advocate-General reports that the number of trials by general courts-martial during the year was 2,328, and that 11,851 trials took place before garrison and regimental courts-martial. The suggestion that probably more than half the Army have been tried for offenses, great and small, in one year may well arrest attention. Of course many of these trials before garrison and regimental courts-martial were for offenses almost frivolous, and there should, I think, be a way devised to dispose of these in a more summary and less inconvenient manner than by court-martial.

If some of the proceedings of courts-martial which I have had occasion to examine present the ideas of justice which generally prevail in these tribunals, I am satisfied that they should be much reformed if the honor and the honesty of the Army and Navy are by their instrumentality to be vindicated and protected.

The Board on Fortifications or other defenses, appointed in pursuance of the provisions of the act of Congress approved March 3, 1885, will in a short time present their report, and it is hoped that this may greatly aid the legislation so necessary to remedy the present defenseless condition of our seacoasts.

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* See pp. 4888–4889.

The work of the Signal Service has been prosecuted during the last year with results of increasing benefit to the country. The field of instruction has been enlarged with a view of adding to its usefulness. The number of stations in operation June 30, 1885, was 489. Telegraphic reports are received daily from 160 stations. Reports are also received from 25 Canadian stations, 375 volunteer observers, 52 army surgeons at military posts, and 333 foreign stations. The expense of the service during the fiscal year, after deducting receipts from military telegraph lines, was $792,592.97. In view of the fact referred to by the Secretary of War, that the work of this service ordinarily is of a scientific nature, and the further fact that it is assuming larger proportions constantly and becoming more and more unsuited to the fixed rules which must govern the Army, I am inclined to agree with him in the opinion that it should be separately established. If this is done, the scope and extent of its operations should, as nearly as possible, be definitely prescribed by law and always capable of exact ascertainment.

The Military Academy at West Point is reported as being in a high state of efficiency and well equipped for the satisfactory accomplishment of the purposes of its maintenance.

The fact that the class which graduates next year is an unusually large one has constrained me to decline to make appointments to second lieutenancies in the Army from civil life, so that such vacancies as exist in these places may be reserved for such graduates; and yet it is not probable that there will be enough vacancies to provide positions for them all when they leave the military school. Under the prevailing law and usage those not thus assigned to duty never actively enter the military service. It is suggested that the law on this subject be changed so that such of these young men as are not at once assigned to duty after graduation may be retained as second lieutenants in the Army if they desire it, subject to assignment when opportunity occurs, and under proper rules as to priority of selection.

The expenditures on account of the Military Academy for the last fiscal year, exclusive of the sum taken for its purposes from appropriations for the support of the Army, were $290,712.07.

The act approved March 3, 1885, designed to compensate officers and enlisted men for loss of private property while in the service of the United States, is so indefinite in its terms and apparently admits so many claims the adjustment of which could not have been contemplated that if it is to remain upon the statute book it needs amendment.

There should be a general law of Congress prohibiting the construction of bridges over navigable waters in such manner as to obstruct navigation, with provisions for preventing the same. It seems that under existing statutes the Government can not intervene to prevent such a construction when entered upon without its consent, though when such consent is asked and granted upon condition the authority to insist upon such condition is clear. Thus it is represented that while the officers of the Government are with great care guarding against the obstruction of navigation by a bridge across the Mississippi River at St. Paul a large pier for a bridge has been built just below this place directly in the navigable channel of the river. If such things are to be permitted, a strong argument is presented against the appropriation of large sums of money to improve the navigation of this and other important highways of commerce.

The report of the Secretary of the Navy gives a history of the operations of his Department and the present condition of the work committed to his charge.

He details in full the course pursued by him to protect the rights of the Government in respect of certain vessels unfinished at the time of his accession to office, and also concerning the dispatch boat *Dolphin*, claimed to be completed and awaiting the acceptance of the Department. No one can fail to see from recitals contained in this report that only the application of business principles has been insisted upon in the treatment of these subjects, and that whatever controversy has arisen was caused by the exaction on the part of the Department of contract obligations as they were legally construed. In the case of the *Dolphin*, with entire justice to the contractor, an agreement has been entered into providing for the ascertainment by a judicial inquiry of the complete or partial compliance with the contract in her construction, and further providing for the assessment of any damages to which the Government may be entitled on account of a partial failure to perform such contract, or the payment of the sum still remaining unpaid upon her price in case a full performance is adjudged.

The contractor, by reason of his failure in business, being unable to complete the other three vessels, they were taken possession of by the Government in their unfinished state under a clause in the contract permitting such a course, and are now in process of completion in the yard of the contractor, but under the supervision of the Navy Department.

Congress at its last session authorized the construction of two additional new cruisers and two gunboats, at a cost not exceeding in the aggregate $2,995,000. The appropriation for this purpose having become available on the 1st day of July last, steps were at once taken for the procurement of such plans for the construction of these vessels as would be likely to insure their usefulness when completed. These are of the utmost importance, considering the constant advance in the art of building vessels of this character, and the time is not lost which is spent in their careful consideration and selection.

All must admit the importance of an effective navy to a nation like ours, having such an extended seacoast to protect; and yet we have not a single vessel of war that could keep the seas against a first-class vessel of any important power. Such a condition ought not longer to continue. The nation that can not resist aggression is constantly exposed to it. Its foreign policy is of necessity weak and its negotiations are conducted with disadvantage because it is not in condition to enforce the terms dictated by its sense of right and justice.

Inspired, as I am, by the hope, shared by all patriotic citizens, that the day is not very far distant when our Navy will be such as befits our standing among the nations of the earth, and rejoiced at every step that leads in the direction of such a consummation, I deem it my duty to especially direct the attention of Congress to the close of the report of the Secretary of the Navy, in which the humiliating weakness of the present organization of his Department is exhibited and the startling abuses and waste of its present methods are exposed. The conviction is forced upon us with the certainty of mathematical demonstration that before we proceed further in the restoration of a Navy we need a thoroughly reorganized Navy Department. The fact that within seventeen years more than $75,000,000 have been spent in the construction, repair, equipment, and armament of vessels, and the further fact that instead of an effective and creditable fleet we have only the discontent and apprehension of a nation undefended by war vessels, added to the disclosures now made, do not permit us to doubt that every attempt to revive our Navy has thus far for the most part been misdirected, and all our efforts in that direction have been little better than blind gropings and expensive, aimless follies.

Unquestionably if we are content with the maintenance of a Navy Department simply as a shabby ornament to the Government, a constant watchfulness may prevent some of the scandal and abuse which have found their way into our present organization, and its incurable waste may be reduced to the minimum. But if we desire to build ships for present usefulness instead of naval reminders of the days that are past, we must have a Department organized for the work, supplied with all the talent and ingenuity our country affords, prepared to take advantage of the experience of other nations, systematized so that all effort shall unite and lead in one direction, and fully imbued with the conviction that war vessels, though new, are useless unless they combine all that the ingenuity of man has up to this day brought forth relating to their construction.

I earnestly commend the portion of the Secretary's report devoted to this subject to the attention of Congress, in the hope that his suggestions touching the reorganization of his Department may be adopted as the first step toward the reconstruction of our Navy.

The affairs of the postal service are exhibited by the report of the Postmaster-General, which will be laid before you.

The postal revenue, whose ratio of gain upon the rising prosperity of 1882 and 1883 outstripped the increasing expenses of our growing service, was checked by the reduction in the rate of letter postage which took effect with the beginning of October in the latter year, and it diminished during the two past fiscal years $2,790,000, in about the proportion of $2,270,000 in 1884 to $520,000 in 1885. Natural growth and development have meantime increased expenditure, resulting in a deficiency in the revenue to meet the expenses of the Department of five and a quarter million dollars for the year 1884 and eight and a third million in the last fiscal year. The anticipated and natural revival of the revenue has been oppressed and retarded by the unfavorable business condition of the country, of which the postal service is a faithful indicator. The gratifying fact is shown, however, by the report that our returning prosperity is marked by a gain of $380,000 in the revenue of the latter half of the last year over the corresponding period of the preceding year.

The change in the weight of first-class matter which may be carried for a single rate of postage from a half ounce to an ounce, and the reduction by one-half of the rate of newspaper postage, which, under recent legislation, began with the current year, will operate to restrain the augmentation of receipts which otherwise might have been expected to such a degree that the scale of expense may gain upon the revenue and cause an increased deficiency to be shown at its close. Yet, after no long period of reawakened prosperity, by proper economy it is confidently anticipated that even the present low rates, now as favorable as any country affords, will be adequate to sustain the cost of the service.

The operation of the Post-Office Department is for the convenience and benefit of the people, and the method by which they pay the charges of this useful arm of their public service, so that it be just and impartial, is of less importance to them than the economical expenditure of the means they provide for its maintenance and the due improvement of its agencies, so that they may enjoy its highest usefulness.

A proper attention has been directed to the prevention of waste or extravagance, and good results appear from the report to have already been accomplished.

I approve the recommendation of the Postmaster-General to reduce the charges on domestic money orders of $5 and less from 8 to 5 cents. This change will materially aid those of our people who most of all avail themselves of this instrumentality, but to whom the element of cheapness is of the greatest importance. With this reduction the system would still remain self-supporting.

The free-delivery system has been extended to 19 additional cities during the year, and 178 now enjoy its conveniences. Experience has commended it to those who enjoy its benefits, and further enlargement of its facilities is due to other communities to which it is adapted. In the cities where it has been established, taken together, the local postage exceeds its maintenance by nearly $1,300,000. The limit to which this system is now confined by law has been nearly reached, and the reasons given justify its extension, which is proposed.

It was decided, with my approbation, after a sufficient examination, to be inexpedient for the Post-Office Department to contract for carrying our foreign mails under the additional authority given by the last Congress. The amount limited was inadequate to pay all within the purview of the law the full rate of 50 cents per mile, and it would have been unjust and unwise to have given it to some and denied it to others. Nor could contracts have been let under the law to all at a rate to have brought the aggregate within the appropriation without such practical prearrangement of terms as would have violated it.

The rate of sea and inland postage which was proffered under another statute clearly appears to be a fair compensation for the desired service, being three times the price necessary to secure transportation by other vessels upon any route, and much beyond the charges made to private persons for services not less burdensome.

Some of the steamship companies, upon the refusal of the Postmaster-General to attempt, by the means provided, the distribution of the sum appropriated as an extra compensation, withdrew the services of their vessels and thereby occasioned slight inconvenience, though no considerable injury, the mails having been dispatched by other means.

Whatever may be thought of the policy of subsidizing any line of public conveyance or travel, I am satisfied that it should not be done under cover of an expenditure incident to the administration of a Department, nor should there be any uncertainty as to the recipients of the subsidy or any discretion left to an executive officer as to its distribution. If such gifts of the public money are to be made for the purpose of aiding any enterprise in the supposed interest of the public, I can not but think that the amount to be paid and the beneficiary might better be determined by Congress than in any other way.

The international congress of delegates from the Postal Union countries convened at Lisbon, in Portugal, in February last, and after a session of some weeks the delegates signed a convention amendatory of the present postal-union convention in some particulars designed to advance its purposes. This additional act has had my approval and will be laid before you with the departmental report.

I approve the recommendation of the Postmaster-General that another assistant be provided for his Department. I invite your consideration to the several other recommendations contained in his report.

The report of the Attorney-General contains a history of the conduct of the Department of Justice during the last year and a number of valuable suggestions as to needed legislation, and I invite your careful attention to the same.

The condition of business in the courts of the United States is such that there seems to be an imperative necessity for remedial legislation on the subject. Some of these courts are so overburdened with pending causes that the delays in determining litigation amount often to a denial of justice. Among the plans suggested for relief is one submitted by the Attorney-General. Its main features are: The transfer of all the original jurisdiction of the circuit courts to the district courts and an increase of judges for the latter where necessary; an addition of judges to the circuit courts, and constituting them exclusively courts of appeal, and reasonably limiting appeals thereto; further restrictions of the right to remove causes from the State to Federal courts; permitting appeals to the Supreme Court from the courts of the District of Columbia and the Territories only in the same cases as they are allowed from State courts, and guarding against an unnecessary number of appeals from the circuit courts.

I approve the plan thus outlined, and recommend the legislation necessary for its application to our judicial system.

The present mode of compensating United States marshals and district attorneys should, in my opinion, be changed. They are allowed to charge against the Government certain fees for services, their income being measured by the amount of such fees within a fixed limit as to their annual aggregate. This is a direct inducement for them to make their fees in criminal cases as large as possible in an effort to reach the maximum sum permitted. As an entirely natural consequence, unscrupulous marshals are found encouraging frivolous prosecutions, arresting people on petty charges of crime and transporting them to distant places for examination and trial, for the purpose of earning mileage and other fees; and district attorneys uselessly attend criminal examinations far from their places of residence for the express purpose of swelling their accounts against the Government. The actual expenses incurred in these transactions are also charged against the Government.

Thus the rights and freedom of our citizens are outraged and public expenditures increased for the purpose of furnishing public officers pretexts for increasing the measure of their compensation.

I think marshals and district attorneys should be paid salaries, adjusted by a rule which will make them commensurate with services fairly rendered.

In connection with this subject I desire to suggest the advisability, if it be found not obnoxious to constitutional objection, of investing United States commissioners with the power to try and determine certain violations of law within the grade of misdemeanors. Such trials might be made to depend upon the option of the accused. The multiplication of small and technical offenses, especially under the provisions of our internal-revenue law, render some change in our present system very desirable in the interests of humanity as well as economy. The district courts are now crowded with petty prosecutions, involving a punishment in case of conviction, of only a slight fine, while the parties accused are harassed by an enforced attendance upon courts held hundreds of miles from their homes. If poor and friendless, they are obliged to remain in jail during months, perhaps, that elapse before a session of the court is held, and are finally brought to trial surrounded by strangers and with but little real opportunity for defense. In the meantime frequently the marshal has charged against the Government his fees for an arrest, the transportation of the accused and the expense of the same, and for summoning witnesses before a commissioner, a grand jury, and a court; the witnesses have been paid from the public funds large fees and traveling expenses, and the commissioner and district attorney have also made their charges against the Government.

This abuse in the administration of our criminal law should be remedied; and if the plan above suggested is not practicable, some other should be devised.

The report of the Secretary of the Interior, containing an account of the operations of this important Department and much interesting information, will be submitted for your consideration.

The most intricate and difficult subject in charge of this Department is the treatment and management of the Indians. I am satisfied that some progress may be noted in their condition as a result of a prudent administration of the present laws and regulations for their control.

But it is submitted that there is lack of a fixed purpose or policy on this subject, which should be supplied. It is useless to dilate upon the wrongs of the Indians, and as useless to indulge in the heartless belief that because their wrongs are revenged in their own atrocious manner, therefore they should be exterminated.

They are within the care of our Government, and their rights are, or should be, protected from invasion by the most solemn obligations. They are properly enough called the wards of the Government; and it should be borne in mind that this guardianship involves on our part efforts for the improvement of their condition and the enforcement of their rights. There seems to be general concurrence in the proposition that the ultimate object of their treatment should be their civilization and citizenship. Fitted by these to keep pace in the march of progress with the advanced civilization about them, they will readily assimilate with the mass of our population, assuming the responsibilities and receiving the protection incident to this condition.

The difficulty appears to be in the selection of the means to be at present employed toward the attainment of this result.

Our Indian population, exclusive of those in Alaska, is reported as numbering 260,000, nearly all being located on lands set apart for their use and occupation, aggregating over 134,000,000 acres. These lands are included in the boundaries of 171 reservations of different dimensions, scattered in 21 States and Territories, presenting great variations in climate and in the kind and quality of their soils. Among the Indians upon these several reservations there exist the most marked differences in natural traits and disposition and in their progress toward civilization. While some are lazy, vicious, and stupid, others are industrious, peaceful, and intelligent; while a portion of them are self-supporting and independent, and have so far advanced in civilization that they make their own laws, administered through officers of their own choice, and educate their children in schools of their own establishment and maintenance, others still retain, in squalor and dependence, almost the savagery of their natural state.

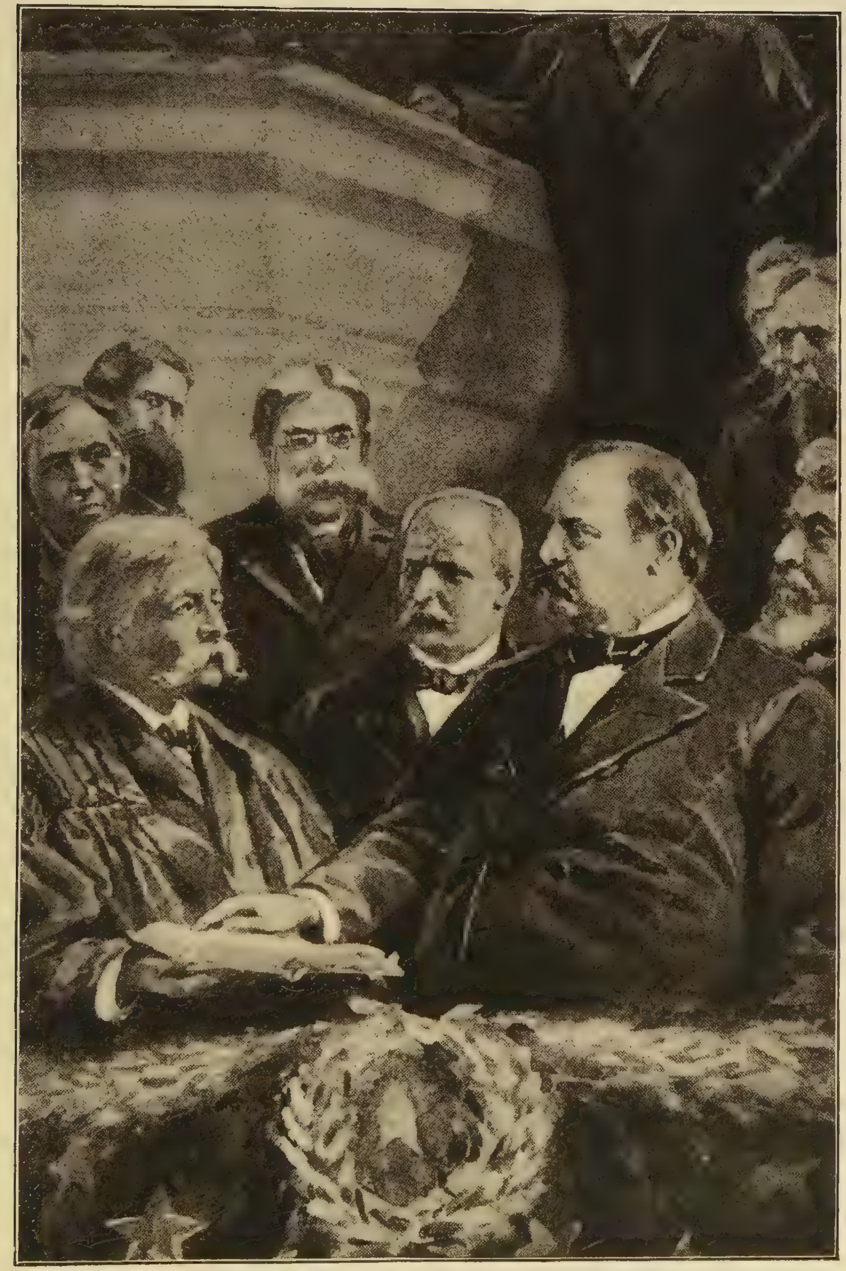
In dealing with this question the desires manifested by the Indians should not be ignored. Here again we find a great diversity. With some the tribal relation is cherished with the utmost tenacity, while its hold upon others is considerably relaxed; the love of home is strong with all, and yet there are those whose attachment to a particular locality is by no means unyielding; the ownership of their lands in severalty is much desired by some, while by others, and sometimes among the most civilized, such a distribution would be bitterly opposed.

The variation of their wants, growing out of and connected with the character of their several locations, should be regarded. Some are upon reservations most fit for grazing, but without flocks or herds; and some, on arable land, have no agricultural implements. While some of the reservations are double the size necessary to maintain the number of Indians now upon them, in a few cases, perhaps, they should be enlarged.

Add to all this the difference in the administration of the agencies. While the same duties are devolved upon all, the disposition of the agents and the manner of their contact with the Indians have much to do with their condition and welfare. The agent who perfunctorily performs his duty and slothfully neglects all opportunity to advance their moral and physical improvement and fails to inspire them with a desire for better things will accomplish nothing in the direction of their civilization, while he who feels the burden of an important trust and has an interest in his work will, by consistent example, firm yet considerate treatment, and well-directed aid and encouragement, constantly lead those under his charge toward the light of their enfranchisement.

The history of all the progress which has been made in the civilization of the Indian I think will disclose the fact that the beginning has been religious teaching, followed by or accompanying secular education. While the self-sacrificing and pious men and women who have aided in this good work by their independent endeavor have for their reward the beneficent results of their labor and the consciousness of Christian duty well performed, their valuable services should be fully acknowledged by all who under the law are charged with the control and management of our Indian wards.

What has been said indicates that in the present condition of the



THE INAUGURATION OF GROVER CLEVELAND

THE ADMINISTRATION OF GROVER CLEVELAND

The people of the United States will best remember one trait of Grover Cleveland: his stubborn, uncompromising honesty. From the beginning, Presidents with a public office to fill have consulted the Representative or Senator from the district or State in which the office is situated. In return for this courtesy, which enables the advisers to pay their political debts, Senators and Representatives do the best they can to translate presidential policies into the law of the land. Cleveland's heart was set upon preventing the debasement of the national currency, injury to the public credit, mercenary intrusion upon the affairs and territory of foreign powers, and wanted, above all, to signalize his Administration by economy in the running of the Government. He knew that he could not hope to accomplish anything with a hostile Congress, and he knew that the bestowal of the public offices for other than political reasons would bring upon him the wrath of his party; but such bartering of public good for political considerations was abhorrent to him, and he decided to abandon his dearest ambitions rather than corrupt himself, even in a way sanctioned by immemorial usage. Other party measures, such as pension bills and public building appropriations, were vetoed by him.

He withstood the clamor for the annexation of Hawaii and the movement for war with Spain on account of Cuba. He scouted the plea of "manifest destiny" as a fallacy; as another version of might makes right. He saw that those who wanted to wage war with Spain used the phrase "in the interest of humanity," when they really meant "for the possession of Cuba."

Cleveland would not compromise with evil, even though evil came to him in the venerable guise of precedent and custom. He saw, thought and acted according to the morality of Grover Cleveland.

Indians no attempt should be made to apply a fixed and unyielding plan of action to their varied and varying needs and circumstances.

The Indian Bureau, burdened as it is with their general oversight and with the details of the establishment, can hardly possess itself of the minute phases of the particular cases needing treatment; and thus the propriety of creating an instrumentality auxiliary to those already established for the care of the Indians suggests itself.

I recommend the passage of a law authorizing the appointment of six commissioners, three of whom shall be detailed from the Army, to be charged with the duty of a careful inspection from time to time of all the Indians upon our reservations or subject to the care and control of the Government, with a view of discovering their exact condition and needs and determining what steps shall be taken on behalf of the Government to improve their situation in the direction of their self-support and complete civilization; that they ascertain from such inspection what, if any, of the reservations may be reduced in area, and in such cases what part not needed for Indian occupation may be purchased by the Government from the Indians and disposed of for their benefit; what, if any, Indians may, with their consent, be removed to other reservations, with a view of their concentration and the sale on their behalf of their abandoned reservations; what Indian lands now held in common should be allotted in severalty; in what manner and to what extent the Indians upon the reservations can be placed under the protection of our laws and subjected to their penalties, and which, if any, Indians should be invested with the right of citizenship. The powers and functions of the commissioners in regard to these subjects should be clearly defined, though they should, in conjunction with the Secretary of the Interior, be given all the authority to deal definitely with the questions presented deemed safe and consistent.

They should be also charged with the duty of ascertaining the Indians who might properly be furnished with implements of agriculture, and of what kind; in what cases the support of the Government should be withdrawn; where the present plan of distributing Indian supplies should be changed; where schools may be established and where discontinued; the conduct, methods, and fitness of agents in charge of reservations; the extent to which such reservations are occupied or intruded upon by unauthorized persons, and generally all matters related to the welfare and improvement of the Indian.

They should advise with the Secretary of the Interior concerning these matters of detail in management, and he should be given power to deal with them fully, if he is not now invested with such power.

This plan contemplates the selection of persons for commissioners who are interested in the Indian question and who have practical ideas upon the subject of their treatment.

The expense of the Indian Bureau during the last fiscal year was more than six and a half million dollars. I believe much of this expenditure might be saved under the plan proposed; that its economical effects would be increased with its continuance; that the safety of our frontier settlers would be subserved under its operation, and that the nation would be saved through its results from the imputation of inhumanity, injustice, and mismanagement.

In order to carry out the policy of allotment of Indian lands in severalty, when deemed expedient, it will be necessary to have surveys completed of the reservations, and I hope that provision will be made for the prosecution of this work.

In May of the present year a small portion of the Chiricahua Apaches on the White Mountain Reservation, in Arizona, left the reservation and committed a number of murders and depredations upon settlers in that neighborhood. Though prompt and energetic action was taken by the military, the renegades eluded capture and escaped into Mexico. The formation of the country through which these Indians passed, their thorough acquaintance with the same, the speed of their escape, and the manner in which they scattered and concealed themselves among the mountains near the scene of their outrages put our soldiers at a great disadvantage in their efforts to capture them, though the expectation is still entertained that they will be ultimately taken and punished for their crimes.

The threatening and disorderly conduct of the Cheyennes in the Indian Territory early last summer caused considerable alarm and uneasiness. Investigation proved that their threatening attitude was due in a great measure to the occupation of the land of their reservation by immense herds of cattle, which their owners claimed were rightfully there under certain leases made by the Indians. Such occupation appearing upon examination to be unlawful notwithstanding these leases, the intruders were ordered to remove with their cattle from the lands of the Indians by Executive proclamation.* The enforcement of this proclamation had the effect of restoring peace and order among the Indians, and they are now quiet and well behaved.

By an Executive order issued on February 27, 1885, by my predecessor, a portion of the tract of country in the territory known as the Old Winnebago and Crow Creek reservations was directed to be restored to the public domain and opened to settlement under the land laws of the United States, and a large number of persons entered upon those lands. This action alarmed the Sioux Indians, who claimed the territory as belonging to their reservation under the treaty of 1868. This claim was determined, after careful investigation, to be well founded, and consequently the Executive order referred to was by proclamation of April 17, 1885,† declared to be inoperative and of no effect, and all persons upon the land were warned to leave. This warning has been substantially complied with.

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*See pp. 4811-4812.

†See pp. 4890-4891.

The public domain had its origin in cessions of land by the States to the General Government. The first cession was made by the State of New York, and the largest, which in area exceeded all the others, by the State of Virginia. The territory the proprietorship of which became thus vested in the General Government extended from the western line of Pennsylvania to the Mississippi River. These patriotic donations of the States were encumbered with no condition except that they should be held and used "for the common benefit of the United States." By purchase with the common fund of all the people additions were made to this domain until it extended to the northern line of Mexico, the Pacific Ocean, and the Polar Sea. The original trust, "for the common benefit of the United States," attached to all. In the execution of that trust the policy of many homes, rather than large estates, was adopted by the Government. That these might be easily obtained, and be the abode of security and contentment, the laws for their acquisition were few, easily understood, and general in their character. But the pressure of local interests, combined with a speculative spirit, have in many instances procured the passage of laws which marred the harmony of the general plan and encumbered the system with a multitude of general and special enactments which render the land laws complicated, subject the titles to uncertainty, and the purchasers often to oppression and wrong. Laws which were intended for the "common benefit" have been perverted so that large quantities of land are vesting in single ownerships. From the multitude and character of the laws, this consequence seems incapable of correction by mere administration.

It is not for the "common benefit of the United States" that a large area of the public lands should be acquired, directly or through fraud, in the hands of a single individual. The nation's strength is in the people. The nation's prosperity is in their prosperity. The nation's glory is in the equality of her justice. The nation's perpetuity is in the patriotism of all her people. Hence, as far as practicable, the plan adopted in the disposal of the public lands should have in view the original policy, which encouraged many purchasers of these lands for homes and discouraged the massing of large areas. Exclusive of Alaska, about three-fifths of the national domain has been sold or subjected to contract or grant. Of the remaining two-fifths a considerable portion is either mountain or desert. A rapidly increasing population creates a growing demand for homes, and the accumulation of wealth inspires an eager competition to obtain the public land for speculative purposes. In the future this collision of interests will be more marked than in the past, and the execution of the nation's trust in behalf of our settlers will be more difficult. I therefore commend to your attention the recommendations contained in the report of the Secretary of the Interior with reference to the repeal and modification of certain of our land laws.

The nation has made princely grants and subsidies to a system of railroads projected as great national highways to connect the Pacific States with the East. It has been charged that these donations from the people have been diverted to private gain and corrupt uses, and thus public indignation has been aroused and suspicion engendered. Our great nation does not begrudge its generosity, but it abhors peculation and fraud; and the favorable regard of our people for the great corporations to which these grants were made can only be revived by a restoration of confidence, to be secured by their constant, unequivocal, and clearly manifested integrity. A faithful application of the undiminished proceeds of the grants to the construction and perfecting of their roads, an honest discharge of their obligations, and entire justice to all the people in the enjoyment of their rights on these highways of travel are all the public asks, and it will be content with no less. To secure these things should be the common purpose of the officers of the Government, as well as of the corporations. With this accomplishment prosperity would be permanently secured to the roads, and national pride would take the place of national complaint.

It appears from the report of the Commissioner of Pensions that there were on the 1st day of July, 1885, 345,125 persons borne upon the pension rolls, who were classified as follows: Army invalids, 241,456; widows, minor children, and dependent relatives of deceased soldiers, 78,841; navy invalids, 2,745; navy widows, minor children, and dependents, 1,926; survivors of the War of 1812, 2,945; and widows of those who served in that war, 17,212. About one man in ten of all those who enlisted in the late war are reported as receiving pensions, exclusive of the dependents of deceased soldiers. On the 1st of July, 1875, the number of pensioners was 234,821, and the increase within the ten years next thereafter was 110,304.

While there is no expenditure of the public funds which the people more cheerfully approve than that made in recognition of the services of our soldiers living and dead, the sentiment underlying the subject should not be vitiated by the introduction of any fraudulent practices. Therefore it is fully as important that the rolls should be cleansed of all those who by fraud have secured a place thereon as that meritorious claims should be speedily examined and adjusted. The reforms in the methods of doing the business of this Bureau which have lately been inaugurated promise better results in both these directions.

The operations of the Patent Office demonstrate the activity of the inventive genius of the country. For the year ended June 30, 1885, the applications for patents, including reissues, and for the registration of trade-marks and labels, numbered 35,688. During the same period there were 22,928 patents granted and reissued and 1,429 trade-marks and labels registered. The number of patents issued in the year 1875 was 14,387. The receipts during the last fiscal year were $1,074,974.35, and the total expenditures, not including contingent expenses, $934,123.11.

There were 9,788 applications for patents pending on the 1st day of July, 1884, and 5,786 on the same date in the year 1885. There has been considerable improvement made in the prompt determination of applications and a consequent relief to expectant inventors.

A number of suggestions and recommendations are contained in the report of the Commissioner of Patents which are well entitled to the consideration of Congress.

In the Territory of Utah the law of the United States passed for the suppression of polygamy has been energetically and faithfully executed during the past year, with measurably good results. A number of convictions have been secured for unlawful cohabitation, and in some cases pleas of guilty have been entered and a slight punishment imposed, upon a promise by the accused that they would not again offend against the law, nor advise, counsel, aid, or abet in any way its violation by others.

The Utah commissioners express the opinion, based upon such information as they are able to obtain, that but few polygamous marriages have taken place in the Territory during the last year. They further report that while there can not be found upon the registration lists of voters the name of a man actually guilty of polygamy, and while none of that class are holding office, yet at the last election in the Territory all the officers elected, except in one county, were men who, though not actually living in the practice of polygamy, subscribe to the doctrine of polygamous marriages as a divine revelation and a law unto all higher and more binding upon the conscience than any human law, local or national. Thus is the strange spectacle presented of a community protected by a republican form of government, to which they owe allegiance, sustaining by their suffrages a principle and a belief which set at naught that obligation of absolute obedience to the law of the land which lies at the foundation of republican institutions.

The strength, the perpetuity, and the destiny of the nation rest upon our homes, established by the law of God, guarded by parental care, regulated by parental authority, and sanctified by parental love.

These are not the homes of polygamy.

The mothers of our land, who rule the nation as they mold the characters and guide the actions of their sons, live according to God's holy ordinances, and each, secure and happy in the exclusive love of the father of her children, sheds the warm light of true womanhood, unperverted and unpolluted, upon all within her pure and wholesome family circle.

These are not the cheerless, crushed, and unwomanly mothers of polygamy.

The fathers of our families are the best citizens of the Republic. Wife and children are the sources of patriotism, and conjugal and parental affection beget devotion to the country. The man who, undefiled with plural marriage, is surrounded in his single home with his wife and children has a stake in the country which inspires him with respect for its laws and courage for its defense.

These are not the fathers of polygamous families.

There is no feature of this practice or the system which sanctions it which is not opposed to all that is of value in our institutions.

There should be no relaxation in the firm but just execution of the law now in operation, and I should be glad to approve such further discreet legislation as will rid the country of this blot upon its fair fame.

Since the people upholding polygamy in our Territories are reenforced by immigration from other lands, I recommend that a law be passed to prevent the importation of Mormons into the country.

The agricultural interest of the country demands just recognition and liberal encouragement. It sustains with certainty and unfailing strength our nation's prosperity by the products of its steady toil, and bears its full share of the burden of taxation without complaint. Our agriculturists have but slight personal representation in the councils of the nation, and are generally content with the humbler duties of citizenship and willing to trust to the bounty of nature for a reward of their labor. But the magnitude and value of this industry are appreciated when the statement is made that of our total annual exports more than three-fourths are the products of agriculture, and of our total population nearly one-half are exclusively engaged in that occupation.

The Department of Agriculture was created for the purpose of acquiring and diffusing among the people useful information respecting the subjects it has in charge, and aiding in the cause of intelligent and progressive farming, by the collection of statistics, by testing the value and usefulness of new seeds and plants, and distributing such as are found desirable among agriculturists. This and other powers and duties with which this Department is invested are of the utmost importance, and if wisely exercised must be of great benefit to the country. The aim of our beneficent Government is the improvement of the people in every station and the amelioration of their condition. Surely our agriculturists should not be neglected. The instrumentality established in aid of the farmers of the land should not only be well equipped for the accomplishment of its purpose, but those for whose benefit it has been adopted should be encouraged to avail themselves fully of its advantages.

The prohibition of the importation into several countries of certain of our animals and their products, based upon the suspicion that health is endangered in their use and consumption, suggests the importance of such precautions for the protection of our stock of all kinds against disease as will disarm suspicion of danger and cause the removal of such an injurious prohibition.

If the laws now in operation are insufficient to accomplish this protection, I recommend their amendment to meet the necessities of the situation; and I commend to the consideration of Congress the suggestions contained in the report of the Commissioner of Agriculture calculated to increase the value and efficiency of this Department.

The report of the Civil Service Commission, which will be submitted, contains an account of the manner in which the civil-service law has been executed during the last year and much valuable information on this important subject.

I am inclined to think that there is no sentiment more general in the minds of the people of our country than a conviction of the correctness of the principle upon which the law enforcing civil-service reform is based. In its present condition the law regulates only a part of the subordinate public positions throughout the country. It applies the test of fitness to applicants for these places by means of a competitive examination, and gives large discretion to the Commissioners as to the character of the examination and many other matters connected with its execution. Thus the rules and regulations adopted by the Commission have much to do with the practical usefulness of the statute and with the results of its application.

The people may well trust the Commission to execute the law with perfect fairness and with as little irritation as is possible. But of course no relaxation of the principle which underlies it and no weakening of the safeguards which surround it can be expected. Experience in its administration will probably suggest amendment of the methods of its execution, but I venture to hope that we shall never again be remitted to the system which distributes public positions purely as rewards for partisan service. Doubts may well be entertained whether our Government could survive the strain of a continuance of this system, which upon every change of Administration inspires an immense army of claimants for office to lay siege to the patronage of Government, engrossing the time of public officers with their importunities, spreading abroad the contagion of their disappointment, and filling the air with the tumult of their discontent.

The allurements of an immense number of offices and places exhibited to the voters of the land, and the promise of their bestowal in recognition of partisan activity, debauch the suffrage and rob political action of its thoughtful and deliberative character. The evil would increase with the multiplication of offices consequent upon our extension, and the mania for office holding, growing from its indulgence, would pervade our population so generally that patriotic purpose, the support of principle, the desire for the public good, and solicitude for the nation's welfare would be nearly banished from the activity of our party contests and cause them to degenerate into ignoble, selfish, and disgraceful struggles for the possession of office and public place.

Civil-service reform enforced by law came none too soon to check the progress of demoralization.

One of its effects, not enough regarded, is the freedom it brings to the political action of those conservative and sober men who, in fear of the confusion and risk attending an arbitrary and sudden change in all the public offices with a change of party rule, cast their ballots against such a chance.

Parties seem to be necessary, and will long continue to exist; nor can it be now denied that there are legitimate advantages, not disconnected with office holding, which follow party supremacy. While partisanship continues bitter and pronounced and supplies so much of motive to sentiment and action, it is not fair to hold public officials in charge of important trusts responsible for the best results in the performance of their duties, and yet insist that they shall rely in confidential and important places upon the work of those not only opposed to them in political affiliation, but so steeped in partisan prejudice and rancor that they have no loyalty to their chiefs and no desire for their success. Civil-service reform does not exact this, nor does it require that those in subordinate positions who fail in yielding their best service or who are incompetent should be retained simply because they are in place. The whining of a clerk discharged for indolence or incompetency, who, though he gained his place by the worst possible operation of the spoils system, suddenly discovers that he is entitled to protection under the sanction of civil-service reform, represents an idea no less absurd than the clamor of the applicant who claims the vacant position as his compensation for the most questionable party work.

The civil-service law does not prevent the discharge of the indolent or incompetent clerk, but it does prevent supplying his place with the unfit party worker. Thus in both these phases is seen benefit to the public service. And the people who desire good government, having secured this statute, will not relinquish its benefits without protest. Nor are they unmindful of the fact that its full advantages can only be gained through the complete good faith of those having its execution in charge. And this they will insist upon.

I recommend that the salaries of the Civil Service Commissioners be increased to a sum more nearly commensurate to their important duties.

It is a source of considerable and not unnatural discontent that no adequate provision has yet been made for accommodating the principal library of the Government. Of the vast collection of books and pamphlets gathered at the Capitol, numbering some 700,000, exclusive of manuscripts, maps, and the products of the graphic arts, also of great volume and value, only about 300,000 volumes, or less than half the collection, are provided with shelf room. The others, which are increasing at the rate of from twenty-five to thirty thousand volumes a year, are not only inaccessible to the public, but are subject to serious damage and deterioration from other causes in their present situation.

A consideration of the facts that the library of the Capitol has twice been destroyed or damaged by fire, its daily increasing value, and its importance as a place of deposit of books under the law relating to copyright makes manifest the necessity of prompt action to insure its proper accommodation and protection.

My attention has been called to a controversy which has arisen from the condition of the law relating to railroad facilities in the city of Washington, which has involved the Commissioners of the District in much annoyance and trouble. I hope this difficulty will be promptly settled by appropriate legislation.

The Commissioners represent that enough of the revenues of the District are now on deposit in the Treasury of the United States to repay the sum advanced by the Government for sewer improvements under the act of June 30, 1884. They desire now an advance of the share which ultimately should be borne by the District of the cost of extensive improvements to the streets of the city. The total expense of these contemplated improvements is estimated at $1,000,000, and they are of the opinion that a considerable sum could be saved if they had all the money in hand, so that contracts for the whole work could be made at the same time. They express confidence that if the advance asked for should be made the Government would be reimbursed the same within a reasonable time. I have no doubt that these improvements could be made much cheaper if undertaken together and prosecuted according to a general plan.

The license law now in force within the District is deficient and uncertain in some of its provisions and ought to be amended. The Commissioners urge, with good reason, the necessity of providing a building for the use of the District government which shall better secure the safety and preservation of its valuable books and records.

The present condition of the law relating to the succession to the Presidency in the event of the death, disability, or removal of both the President and Vice-President is such as to require immediate amendment. This subject has repeatedly been considered by Congress, but no result has been reached. The recent lamentable death of the Vice-President, and vacancies at the same time in all other offices the incumbents of which might immediately exercise the functions of the Presidential office, has caused public anxiety and a just demand that a recurrence of such a condition of affairs should not be permitted.

In conclusion I commend to the wise care and thoughtful attention of Congress the needs, the welfare, and the aspirations of an intelligent and generous nation. To subordinate these to the narrow advantages of partisanship or the accomplishment of selfish aims is to violate the people's trust and betray the people's interests; but an individual sense of responsibility on the part of each of us and a stern determination to perform our duty well must give us place among those who have added in their day and generation to the glory and prosperity of our beloved land.

GROVER CLEVELAND.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, December 14, 1885.

To the Senate of the United States:

In response to the resolution of the Senate of the 9th instant, calling for the correspondence on file in relation to the appointment of Mr. A. M. Keiley as envoy extraordinary and minister plenipotentiary, first to the Government of Italy and then to that of Austria-Hungary, I transmit herewith a report from the Secretary of State, with accompanying papers.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 14, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of 10th instant from the Secretary of the Interior, inclosing a report from the Commissioner of Indian Affairs upon the subject of the condition of the Northern Cheyenne Indians upon the Rosebud and Tongue rivers, in Montana, the inadequacy of the appropriation made for their support during the current fiscal year, and requesting legislative authority for the use of certain funds indicated for their relief.

The proposed legislation does not involve any additional appropriation, and the necessity for the authority requested is urgent. I therefore recommend the matter to the early and favorable consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 14, 1885.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and Venezuela for the reopening of the claims of citizens of the United States against that Government under the treaty of April 25, 1866, signed on the 5th instant.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 14, 1885.

To the Senate:

I transmit, for the consideration of the Senate with a view to ratification, an additional article, signed the 5th instant, extending for a period of eighteen months from the date of the exchange of ratifications of the same the provisions of Article VIII of the convention of July 29, 1882, between the United States and Mexico, in regard to the resurvey of the boundary line, a copy of which convention is herewith inclosed.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 21, 1885.

To the Senate of the United States:

I nominate James P. Kimball, of Pennsylvania, to be Director of the Mint, in place of Horatio C. Burchard, removed; and the reasons for such removal are herewith communicated to the Senate, pursuant to the statute in such case made and provided.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate of the United States:

In the matter of the removal of Horatio C.
Burchard as Director of the Mint.

In conformity to section 343 of the Revised Statutes of the United States, the following is respectfully communicated to the Senate as reasons of the removal above referred to:

The Director of the Mint is the head of one of the most important of the bureaus of the Treasury Department, to which are attached duties of a highly technical and varied nature.

By the express terms of the law creating the office the incumbent is "under the direction of the Secretary of the Treasury."

This last-named officer, under whose direction Mr. Burchard was thus placed, reported to me that his mode of conducting the business of the office was unsatisfactory and inefficient and that the public interest required a change.

And therefore I removed Mr. Burchard and appointed Mr. Kimball in his place, believing him to possess especial qualifications for the proper administration of the important duties involved.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill granting a right of way to the Jamestown and Northern Railroad Company through the Devils Lake Indian Reservation, in the Territory of Dakota.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 15th instant from the Secretary of the Interior, submitting, with accompanying papers upon the subject, a draft of a bill to amend section 2148 of the Revised Statutes of the United States, relating to trespasses upon Indian lands.

The subject is one of great importance, and is commended to the early and favorable action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a report, together with accompanying documents, made to me by the board of management of the World's Industrial and Cotton Centennial Exposition, held at New Orleans from December 16, 1884, to May 31, 1885.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill to accept and ratify an agreement made by the Pi-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River Reservation, in Nevada.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, submitting, with accompanying papers, a report of the Commissioner of Indian Affairs concerning the failure of the Utah and Northern Railroad Company to compensate the Indians upon the Fort Hall Reservation, in Idaho, for lands taken and used in construction of their line of road crossing the reservation from north to south.

The subject is recommended to the early attention and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 15th instant from the Secretary of the Interior, submitting, with accompanying papers upon the subject, a draft of a bill "to provide for the settlement of the estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes."

The matter is presented for the favorable consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 15th instant from the Secretary of the Interior, submitting, with accompanying papers upon the subject, a draft of a bill for the relief of the Mission Indians in California.

The subject is presented for the action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill to accept and ratify an agreement made by the Sisseton and Wahpeton Indians, and to grant a right of way for the Chicago, Milwaukee and St. Paul Railway through the Lake Traverse Reservation, in Dakota.

The subject is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 15th instant from the Secretary of the Interior, submitting, with accompanying papers on the subject, a draft of a bill to amend section 5388 of the Revised Statutes of the United States, relating to timber depredations upon lands reserved or purchased for military, Indian, or other purposes, etc.

This is an important subject, and is commended to the early attention of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 21, 1885.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 15th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill to accept and ratify an agreement made with the confederated tribes and bands of Indians occupying the Yakima Reservation, in Washington

Territory, for the right of way of the Northern Pacific Railroad across said reservation, etc.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 5, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 19th ultimo from the Secretary of the Interior, submitting, with accompanying papers in relation thereto, a draft of a bill "to provide for allotments of lands in severalty to the Indians residing upon the Round Valley Reservation, in the State of California, and granting patents therefor, and for other purposes."

The matter is presented for the early consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 7, 1886.*

To the Senate:

I transmit herewith, in response to a resolution of the Senate of the 9th ultimo, a report of the Secretary of State, in answer to the request for any documents or information received from our consul-general at Paris or from the special agent sent to the financial centers of Europe in respect to the establishment of an international ratio of gold and silver coinage as would procure the free coinage of both metals at the mints of those countries and our own.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 12, 1886.*

To the Senate and House of Representatives:

In continuation of the message of my predecessor of the 13th of February last, I now transmit herewith a letter from the Secretary of State, which is accompanied by the final report of the commissioners appointed under the act of July 7, 1884, to visit the States of Central and South America.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 12, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 2d instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill to amend section 9 of the act of March 3, 1885, relating to the trial and punishment of Indians committing certain specified crimes.

The subject is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 12, 1886.*

To the Senate:

I transmit herewith a report of the Secretary of State, in response to a resolution of the Senate of the 14th ultimo, requesting a copy of "any report of an actual instrumental survey of a line for a ship railroad across the Isthmus of Tehuantepec and any map of the same that has been made to or placed on file in any of the Executive Departments, and of any canal or canals designed to connect such ship railway with the Gulf of Mexico or the Pacific Ocean."

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 12, 1886.*

To the Senate of the United States:

I transmit herewith a communication from the Secretary of State, accompanied by a report of Hon. James O. Broadhead and Somerville P. Tuck, appointed to carry out certain of the provisions of section 5 of an act entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801," approved January 20, 1885.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 12, 1886.*

To the Senate:

I transmit herewith, in response to a resolution of the Senate of the 5th instant, a report of the Secretary of State, containing all the correspondence and information in the custody of his Department relative to the extension of certain fishing rights and privileges under the treaty of Washington from July 1, 1885, to January 1, 1886.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 25, 1886.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, which is accompanied by the report of the United States Electrical Commission of the proceedings of the National Conference of Electricians held at the city of Philadelphia in the month of September, 1884.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 25, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of proposed legislation providing for negotiations with the various tribes and bands of Chippewa Indians in the State of Minnesota, with a view to the improvement of their present condition.

It is requested that the matter may have early attention, consideration, and action by Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 28, 1886.*

To the Senate:

In continuing accord with the Senate resolution of December 9, 1885, I transmit herewith a letter from the Secretary of State, accompanied by information received from the United States minister to Belgium in relation to the action of the Belgian Government in concluding its adhesion to the monetary convention of the States comprising the "Latin Union."

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 28, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 25th instant from the Secretary of the Interior, submitting, with accompanying papers, the draft of a proposed amendment to the first section of the act ratifying an agreement with the Crow Indians in Montana, approved April 11, 1882, requested by said Indians, for the purpose of increasing the amount of the annual payments under said agreement and reducing the number thereof, in order that sufficient means may be provided for establishing them on their individual allotments.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 4, 1886.

To the Senate:

By its resolution in executive session of March 18, 1885, the Senate advised and consented to the ratification of the convention concluded November 12, 1884, between the United States of America and the United States of Mexico, touching the boundary line between the two countries where it follows the bed of the Rio Grande and the Rio Gila.

The ratifications could not, however, be exchanged between the two contracting parties and the convention proclaimed until after it had received the constitutional sanction of the Government of Mexico, whose Congress but recently convened.

In a note to the Secretary of State of December 26, 1885, Mr. Matias Romero, the minister of Mexico here, advises him of a decree issued by the Mexican Senate in its session of December 11 last, approving, with certain modifications, the convention in question:

"The modifications made in the said treaty by the Mexican Senate are not essential," says Mr. Romero, "since they consist mainly in the rectification of the mistake made when the Gila River was mentioned as a part of the boundary line, the Colorado River being omitted, and in the correction of an error in the Spanish translation."

That the Senate may have the matter fully before it, I herewith transmit a copy of Mr. Romero's note of December 26, 1885, with its inclosure, and return the convention in the original for such further consideration and direction as the Senate in its constitutional prerogative may deem necessary and proper.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 4, 1886.*

The PRESIDENT OF THE SENATE PRO TEMPORE.

SIR: In response to the Senate resolution dated January 5, 1886—

> That the Secretary of the Interior be, and hereby is, directed to communicate to the Senate a copy of each report made by the Government directors of the Union Pacific Railroad Company from date of first appointment of such directors to the present time—

I transmit herewith a communication from the Secretary of the Interior, dated the 2d instant, with the copies required.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 4, 1886.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In response to House resolution of January 27, 1886—

> That the Secretary of the Interior be, and is hereby, requested to furnish this House with copies of any and all contracts or leases which are to be found on file in said Department between the Southern Pacific Company and any and every railroad or railroads to which land grants were made, or which received any subsidies from the United States; also a copy of the charter of incorporation of the Southern Pacific Company; also all and every contract or contracts on file between the Pacific Steamship Company and any and every land grant or subsidized railroad company or companies—

I transmit herewith a communication from the Secretary of the Interior, dated the 2d instant, inclosing the copies required.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 4, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 3d instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill authorizing the use of certain funds belonging to the Miami Indians in

Indian Territory, proceeds of sales of their lands, for the purpose of relieving their present pressing necessities.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 8, 1886.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, dated 5th instant, inclosing the recommendation of the Commissioner of Indian Affairs for the insertion in the act making appropriations for the current and contingent expenses of the Indian Department for the year ending June 30, 1887, of an item providing for an agent for the Winnebago Indians in Wisconsin, at a salary of $1,500 per annum.

The matter is respectfully submitted for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 8, 1886.*

The PRESIDENT OF THE SENATE PRO TEMPORE.

SIR: In response to Senate resolution of January 7, 1886—

> That the Secretary of the Interior be, and hereby is, directed to communicate to the Senate whether any surveys of the public lands have been made within the last two years in the State of Nebraska; whether there are any unsurveyed public lands within said State; also what recommendations have been made within the last three years by the surveyors-general of said district as to the discontinuance of said office, and whether it is advisable that the office of surveyor-general of said district should cease and be discontinued under the provisions of section 2218 of the Revised Statutes of the United States—

I transmit herewith a communication from the Secretary of the Interior, dated the 3d instant, inclosing the information desired.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 15, 1886.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication, under date of the 9th instant, from the Secretary of the Interior, and the accompanying last annual report of the Government directors of the Union Pacific Railway Company.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 15, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 12th instant from the Secretary of the Interior, submitting, with accompanying papers, the draft of a bill prepared by the Commissioner of Indian Affairs to amend the third section of the act of March 3, 1885, "to provide for the sale of the Sac and Fox and Iowa Indian reservations in the States of Nebraska and Kansas, and for other purposes."

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 16, 1886.*

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 9th instant, a statement showing the payments of awards of the commissioners appointed under the conventions between the United States and France concluded April 30, 1803, and July 4, 1831, and between the United States and Spain concluded February 22, 1819, prepared from the books in the Department of the Treasury, under the direction of the Secretary of the Treasury, at the request of the Secretary of State.

Also, for the further information of the Senate, a report prepared by direction of the Secretary of State, from the original records in his custody, of the awards made by the said commissioners in claims allowed by them.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, D. C., March 1, 1886

To the Senate of the United States:

Ever since the beginning of the present session of the Senate the different heads of the Departments attached to the executive branch of the Government have been plied with various requests and demands from committees of the Senate, from members of such committees, and at last from the Senate itself, requiring the transmission of reasons for the suspension of certain officials during the recess of that body, or for the papers touching the conduct of such officials, or for all papers and documents relating to such suspensions, or for all documents and papers filed in such Departments in relation to the management and conduct of the offices held by such suspended officials.

The different terms from time to time adopted in making these requests and demands, the order in which they succeeded each other, and the fact that when made by the Senate the resolution for that purpose was passed in executive session have led to the presumption, the correctness of which will, I suppose, be candidly admitted, that from first to last the information thus sought and the papers thus demanded were desired for use by the Senate and its committees in considering the propriety of the suspensions referred to.

Though these suspensions are my executive acts, based upon considerations addressed to me alone and for which I am wholly responsible, I have had no invitation from the Senate to state the position which I have felt constrained to assume in relation to the same or to interpret for myself my acts and motives in the premises.

In this condition of affairs I have forborne addressing the Senate upon the subject, lest I might be accused of thrusting myself unbidden upon the attention of that body.

But the report of the Committee on the Judiciary of the Senate lately presented and published, which censures the Attorney-General of the United States for his refusal to transmit certain papers relating to a suspension from office, and which also, if I correctly interpret it, evinces a misapprehension of the position of the Executive upon the question of such suspensions, will, I hope, justify this communication.

This report is predicated upon a resolution of the Senate directed to the Attorney-General and his reply to the same. This resolution was adopted in executive session devoted entirely to business connected with the consideration of nominations for office. It required the Attorney-General "to transmit to the Senate copies of all documents and papers that have been filed in the Department of Justice since the 1st day of January, 1885, in relation to the management and conduct of the office of district attorney of the United States for the southern district of Alabama."

The incumbent of this office on the 1st day of January, 1885, and until the 17th day of July ensuing, was George M. Duskin, who on the day last mentioned was suspended by an Executive order, and John D. Burnett designated to perform the duties of said office. At the time of the passage of the resolution above referred to the nomination of Burnett for said office was pending before the Senate, and all the papers relating to said nomination were before that body for its inspection and information.

In reply to this resolution the Attorney-General, after referring to the fact that the papers relating to the nomination of Burnett had already been sent to the Senate, stated that he was directed by the President to say that—

> The papers and documents which are mentioned in said resolution and still remaining in the custody of this Department, having exclusive reference to the suspension by the President of George M. Duskin, the late incumbent of the office of district attorney for the southern district of Alabama, it is not considered that the public interests will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session.

Upon this resolution and the answer thereto the issue is thus stated by the Committee on the Judiciary at the outset of the report:

> The important question, then, is whether it is within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States created by laws enacted by themselves.

I do not suppose that "the public offices of the United States" are regulated or controlled in their relations to either House of Congress by the fact that they were "created by laws enacted by themselves." It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction, and unembarrassed by any obligation to the Senate as the price of their creation.

The complaint of the committee that access to official papers in the public offices is denied the Senate is met by the statement that at no time has it been the disposition or the intention of the President or any Department of the executive branch of the Government to withhold from the Senate official documents or papers filed in any of the public offices. While it is by no means conceded that the Senate has the right in any case to review the act of the Executive in removing or suspending a public officer, upon official documents or otherwise, it is considered that documents and papers of that nature should, because they are official, be freely transmitted to the Senate upon its demand, trusting the use of the same for proper and legitimate purposes to the good faith of that body; and though no such paper or document has been specifically demanded in any of the numerous requests and demands made upon the Departments, yet as often as they were found in the public offices they have been furnished in answer to such applications.

The letter of the Attorney-General in response to the resolution of the Senate in the particular case mentioned in the committee's report was written at my suggestion and by my direction. There had been no official papers or documents filed in his Department relating to the case within the period specified in the resolution. The letter was intended, by its description of the papers and documents remaining in the custody of the Department, to convey the idea that they were not official; and it was assumed that the resolution called for information, papers, and documents of the same character as were required by the requests and demands which preceded it.

Everything that had been written or done on behalf of the Senate from the beginning pointed to all letters and papers of a private and unofficial nature as the objects of search, if they were to be found in the Departments, and provided they had been presented to the Executive with a view to their consideration upon the question of suspension from office.

Against the transmission of such papers and documents I have interposed my advice and direction. This has not been done, as is suggested in the committee's report, upon the assumption on my part that the Attorney-General or any other head of a Department "is the servant of the President, and is to give or withhold copies of documents in his office according to the will of the Executive and not otherwise," but because I regard the papers and documents withheld and addressed to me or intended for my use and action purely unofficial and private, not infrequently confidential, and having reference to the performance of a duty exclusively mine. I consider them in no proper sense as upon the files of the Department, but as deposited there for my convenience, remaining still completely under my control. I suppose if I desired to take them into my custody I might do so with entire propriety, and if I saw fit to destroy them no one could complain.

Even the committee in its report appears to concede that there may be with the President or in the Departments papers and documents which, on account of their unofficial character, are not subject to the inspection of the Congress. A reference in the report to instances where the House of Representatives ought not to succeed in a call for the production of papers is immediately followed by this statement:

> The committee feels authorized to state, after a somewhat careful research, that within the foregoing limits there is scarcely in the history of this Government, until now, any instance of a refusal by a head of a Department, or even of the President himself, to communicate official facts and information, as distinguished from private and unofficial papers, motions, views, reasons, and opinions, to either House of Congress when unconditionally demanded.

To which of the classes thus recognized do the papers and documents belong that are now the objects of the Senate's quest?

They consist of letters and representations addressed to the Executive or intended for his inspection; they are voluntarily written and presented by private citizens who are not in the least instigated thereto by any official invitation or at all subject to official control. While some of them are entitled to Executive consideration, many of them are so irrelevant, or in the light of other facts so worthless, that they have not been given the least weight in determining the question to which they are supposed to relate.

Are all these, simply because they are preserved, to be considered official documents and subject to the inspection of the Senate? If not, who is to determine which belong to this class? Are the motives and purposes of the Senate, as they are day by day developed, such as would be satisfied with my selection? Am I to submit to theirs at the risk of being charged with making a suspension from office upon evidence which was not even considered?

Are these papers to be regarded official because they have not only been presented but preserved in the public offices?

Their nature and character remain the same whether they are kept in the Executive Mansion or deposited in the Departments. There is no mysterious power of transmutation in departmental custody, nor is there magic in the undefined and sacred solemnity of Department files. If the presence of these papers in the public offices is a stumbling block in the way of the performance of Senatorial duty, it can be easily removed.

The papers and documents which have been described derive no official character from any constitutional, statutory, or other requirement making them necessary to the performance of the official duty of the Executive.

It will not be denied, I suppose, that the President may suspend a public officer in the entire absence of any papers or documents to aid his official judgment and discretion; and I am quite prepared to avow that the cases are not few in which suspensions from office have depended more upon oral representations made to me by citizens of known good repute and by members of the House of Representatives and Senators of the United States than upon any letters and documents presented for my examination. I have not felt justified in suspecting the veracity, integrity, and patriotism of Senators, or ignoring their representations, because they were not in party affiliation with the majority of their associates; and I recall a few suspensions which bear the approval of individual members identified politically with the majority in the Senate.

While, therefore, I am constrained to deny the right of the Senate to the papers and documents described, so far as the right to the same is based upon the claim that they are in any view of the subject official, I am also led unequivocally to dispute the right of the Senate by the aid of any documents whatever, or in any way save through the judicial process of trial on impeachment, to review or reverse the acts of the Executive in the suspension, during the recess of the Senate, of Federal officials.

I believe the power to remove or suspend such officials is vested in the President alone by the Constitution, which in express terms provides that "the executive power shall be vested in a President of the United States of America," and that "he shall take care that the laws be faithfully executed."

The Senate belongs to the legislative branch of the Government. When the Constitution by express provision superadded to its legislative duties the right to advise and consent to appointments to office and to sit as a court of impeachment, it conferred upon that body all the control and regulation of Executive action supposed to be necessary for the safety of the people; and this express and special grant of such extraordinary powers, not in any way related to or growing out of general Senatorial duty, and in itself a departure from the general plan of our Government, should be held, under a familiar maxim of construction, to exclude every other right of interference with Executive functions.

In the first Congress which assembled after the adoption of the Constitution, comprising many who aided in its preparation, a legislative construction was given to that instrument in which the independence of the Executive in the matter of removals from office was fully sustained.

I think it will be found that in the subsequent discussions of this question there was generally, if not at all times, a proposition pending to in some way curtail this power of the President by legislation, which furnishes evidence that to limit such power it was supposed to be necessary to supplement the Constitution by such legislation.

The first enactment of this description was passed under a stress of partisanship and political bitterness which culminated in the President's impeachment.

This law provided that the Federal officers to which it applied could only be suspended during the recess of the Senate when shown by evidence satisfactory to the President to be guilty of misconduct in office, or crime, or when incapable or disqualified to perform their duties, and that within twenty days after the next meeting of the Senate it should be the duty of the President "to report to the Senate such suspension, with the evidence and reasons for his action in the case."

This statute, passed in 1867, when Congress was overwhelmingly and bitterly opposed politically to the President, may be regarded as an indication that even then it was thought necessary by a Congress determined upon the subjugation of the Executive to legislative will to furnish itself a law for that purpose, instead of attempting to reach the object intended by an invocation of any pretended constitutional right.

The law which thus found its way to our statute book was plain in its terms, and its intent needed no avowal. If valid and now in operation, it would justify the present course of the Senate and command the obedience of the Executive to its demands. It may, however, be remarked in passing that under this law the President had the privilege of presenting to the body which assumed to review his executive acts his reasons therefor, instead of being excluded from explanation or judged by papers found in the Departments.

Two years after the law of 1867 was passed, and within less than five weeks after the inauguration of a President in political accord with both branches of Congress, the sections of the act regulating suspensions from office during the recess of the Senate were entirely repealed, and in their place were substituted provisions which, instead of limiting the causes of suspension to misconduct, crime, disability, or disqualification, expressly permitted such suspension by the President "in his discretion," and completely abandoned the requirement obliging him to report to the Senate "the evidence and reasons" for his action.

With these modifications and with all branches of the Government in political harmony, and in the absence of partisan incentive to captious obstruction, the law as it was left by the amendment of 1869 was much less destructive of Executive discretion. And yet the great general and patriotic citizen who on the 4th day of March, 1869, assumed the duties of Chief Executive, and for whose freer administration of his high office the most hateful restraints of the law of 1867 were, on the 5th day of April, 1869, removed, mindful of his obligation to defend and protect every prerogative of his great trust, and apprehensive of the injury threatened the public service in the continued operation of these statutes even in their modified form, in his first message to Congress advised their repeal and set forth their unconstitutional character and hurtful tendency in the following language:

> It may be well to mention here the embarrassment possible to arise from leaving on the statute books the so-called "tenure-of-office acts," and to earnestly recommend their total repeal. It could not have been the intention of the framers of the Constitution, when providing that appointments made by the President should receive the consent of the Senate, that the latter should have the power to retain in office persons placed there by Federal appointment against the will of the President. The law is inconsistent with a faithful and efficient administration of the Government. What faith can an Executive put in officials forced upon him, and those, too, whom he has suspended for reason? How will such officials be likely to serve an Administration which they know does not trust them?

I am unable to state whether or not this recommendation for a repeal of these laws has been since repeated. If it has not, the reason can probably be found in the experience which demonstrated the fact that the necessities of the political situation but rarely developed their vicious character.

And so it happens that after an existence of nearly twenty years of almost innocuous desuetude these laws are brought forth—apparently the repealed as well as the unrepealed—and put in the way of an Executive who is willing, if permitted, to attempt an improvement in the methods of administration.

The constitutionality of these laws is by no means admitted. But why should the provisions of the repealed law, which required specific cause for suspension and a report to the Senate of "evidence and reasons," be now in effect applied to the present Executive, instead of the law, afterwards passed and unrepealed, which distinctly permits suspensions by the President "in his discretion" and carefully omits the requirement that "evidence and reasons for his action in the case" shall be reported to the Senate.

The requests and demands which by the score have for nearly three months been presented to the different Departments of the Government, whatever may be their form, have but one complexion. They assume the right of the Senate to sit in judgment upon the exercise of my exclusive discretion and Executive function, for which I am solely responsible to the people from whom I have so lately received the sacred trust of office. My oath to support and defend the Constitution, my duty to the people who have chosen me to execute the powers of their great office and not to relinquish them, and my duty to the Chief Magistracy, which I must preserve unimpaired in all its dignity and vigor, compel me to refuse compliance with these demands.

To the end that the service may be improved, the Senate is invited to the fullest scrutiny of the persons submitted to them for public office, in recognition of the constitutional power of that body to advise and consent to their appointment. I shall continue, as I have thus far done, to furnish, at the request of the confirming body, all the information I possess touching the fitness of the nominees placed before them for their action, both when they are proposed to fill vacancies and to take the place of suspended officials. Upon a refusal to confirm I shall not assume the right to ask the reasons for the action of the Senate nor question its determination. I can not think that anything more is required to secure worthy incumbents in public office than a careful and independent discharge of our respective duties within their well-defined limits.

Though the propriety of suspensions might be better assured if the action of the President was subject to review by the Senate, yet if the Constitution and the laws have placed this responsibility upon the executive branch of the Government it should not be divided nor the discretion which it involves relinquished.

It has been claimed that the present Executive having pledged himself not to remove officials except for cause, the fact of their suspension implies such misconduct on the part of a suspended official as injures his character and reputation, and therefore the Senate should review the case for his vindication.

I have said that certain officials should not, in my opinion, be removed during the continuance of the term for which they were appointed solely for the purpose of putting in their place those in political affiliation with the appointing power, and this declaration was immediately followed by a description of official partisanship which ought not to entitle those in whom it was exhibited to consideration. It is not apparent how an adherence to the course thus announced carries with it the consequences described. If in any degree the suggestion is worthy of consideration, it is to be hoped that there may be a defense against unjust suspension in the justice of the Executive.

Every pledge which I have made by which I have placed a limitation upon my exercise of executive power has been faithfully redeemed. Of course the pretense is not put forth that no mistakes have been committed; but not a suspension has been made except it appeared to my satisfaction that the public welfare would be improved thereby. Many applications for suspension have been denied, and the adherence to the rule laid down to govern my action as to such suspensions has caused much irritation and impatience on the part of those who have insisted upon more changes in the offices.

The pledges I have made were made to the people, and to them I am responsible for the manner in which they have been redeemed. I am not responsible to the Senate, and I am unwilling to submit my actions and official conduct to them for judgment.

There are no grounds for an allegation that the fear of being found false to my professions influences me in declining to submit to the demands of the Senate. I have not constantly refused to suspend officials, and thus incurred the displeasure of political friends, and yet willfully broken faith with the people for the sake of being false to them.

Neither the discontent of party friends, nor the allurements constantly offered of confirmations of appointees conditioned upon the avowal that suspensions have been made on party grounds alone, nor the threat proposed in the resolutions now before the Senate that no confirmations will be made unless the demands of that body be complied with, are sufficient to discourage or deter me from following in the way which I am convinced leads to better government for the people.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 1, 1886.*

To the Senate and House of Representatives:

It is made the constitutional duty of the President to recommend to the consideration of Congress from time to time such measures as he shall judge necessary and expedient. In no matters can the necessity of this be more evident than when the good faith of the United States under the solemn obligation of treaties with foreign powers is concerned.

The question of the treatment of the subjects of China sojourning within the jurisdiction of the United States presents such a matter for the urgent and earnest consideration of the Executive and the Congress.

In my first annual message, upon the assembling of the present Congress, I adverted to this question in the following words:

> The harmony of our relations with China is fully sustained.
>
> In the application of the acts lately passed to execute the treaty of 1880, restrictive of the immigration of Chinese laborers into the United States, individual cases of hardship have occurred beyond the power of the Executive to remedy, and calling for judicial determination.
>
> The condition of the Chinese question in the Western States and Territories is, despite this restrictive legislation, far from being satisfactory. The recent outbreak in Wyoming Territory, where numbers of unoffending Chinamen, indisputably within the protection of the treaties and the law, were murdered by a mob, and the still more recent threatened outbreak of the same character in Washington Territory, are fresh in the minds of all, and there is apprehension lest the bitterness of feeling against the Mongolian race on the Pacific Slope may find vent in similar lawless demonstrations. All the power of this Government should be exerted to maintain the amplest good faith toward China in the treatment of these men, and the inflexible sternness of the law in bringing the wrongdoers to justice should be insisted upon.
>
> Every effort has been made by this Government to prevent these violent outbreaks and to aid the representatives of China in their investigation of these outrages; and it is but just to say that they are traceable to the lawlessness of men not citizens of the United States engaged in competition with Chinese laborers.
>
> Race prejudice is the chief factor in originating these disturbances, and it exists in a large part of our domain, jeopardizing our domestic peace and the good relationship we strive to maintain with China.
>
> The admitted right of a government to prevent the influx of elements hostile to its internal peace and security may not be questioned, even where there is no treaty stipulation on the subject. That the exclusion of Chinese labor is demanded in other countries where like conditions prevail is strongly evidenced in the Dominion of Canada, where Chinese immigration is now regulated by laws more exclusive tha

our own. If existing laws are inadequate to compass the end in view, I shall be prepared to give earnest consideration to any further remedial measures, within the treaty limits, which the wisdom of Congress may devise.

At the time I wrote this the shocking occurrences at Rock Springs, in Wyoming Territory, were fresh in the minds of all, and had been recently presented anew to the attention of this Government by the Chinese minister in a note which, while not unnaturally exhibiting some misconception of our Federal system of administration in the Territories while they as yet are not in the exercise of the full measure of that sovereign self-government pertaining to the States of the Union, presents in truthful terms the main features of the cruel outrage there perpetrated upon inoffensive subjects of China. In the investigation of the Rock Springs outbreak and the ascertainment of the facts on which the Chinese minister's statements rest the Chinese representatives were aided by the agents of the United States, and the reports submitted, having been thus framed and recounting the facts within the knowledge of witnesses on both sides, possess an impartial truthfulness which could not fail to give them great impressiveness.

The facts, which so far are not controverted or affected by any exculpatory or mitigating testimony, show the murder of a number of Chinese subjects in September last at Rock Springs, the wounding of many others, and the spoliation of the property of all when the unhappy survivors had been driven from their habitations. There is no allegation that the victims by any lawless or disorderly act on their part contributed to bring about a collision; on the contrary, it appears that the law-abiding disposition of these people, who were sojourners in our midst under the sanction of hospitality and express treaty obligations, was made the pretext for an attack upon them. This outrage upon law and treaty engagements was committed by a lawless mob. None of the aggressors—happily for the national good fame—appear by the reports to have been citizens of the United States. They were aliens engaged in that remote district as mining laborers, who became excited against the Chinese laborers, as it would seem, because of their refusal to join them in a strike to secure higher wages. The oppression of Chinese subjects by their rivals in the competition for labor does not differ in violence and illegality from that applied to other classes of native or alien labor. All are equally under the protection of law and equally entitled to enjoy the benefits of assured public order.

Were there no treaty in existence referring to the rights of Chinese subjects; did they come hither as all other strangers who voluntarily resort to this land of freedom, of self-government, and of laws, here peaceably to win their bread and to live their lives, there can be no question that they would be entitled still to the same measure of protection from violence and the same free forum for the redress of their grievances as any other aliens.

So far as the treaties between the United States and China stipulate for the treatment of the Chinese subjects actually in the United States as the citizens or subjects of "the most favored nation" are treated, they create no new status for them; they simply recognize and confirm a general and existing rule, applicable to all aliens alike, for none are favored above others by domestic law, and none by foreign treaties unless it be the Chinese themselves in some respects. For by the third article of the treaty of November 17, 1880, between the United States and China it is provided that—

> ART. III. If Chinese laborers, or Chinese of any other class, now either permanently or temporarily residing in the territory of the United States, meet with ill treatment at the hands of any other persons, the Government of the United States will exert all its power to devise measures for their protection and to secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty.

This article may be held to constitute a special privilege for Chinese subjects in the United States, as compared with other aliens; not that it creates any peculiar rights which others do not share, but because, in case of ill treatment of the Chinese in the United States, this Government is bound to "exert all its power to devise measures for their protection," by securing to them the rights to which equally with any and all other foreigners they are entitled.

Whether it is now incumbent upon the United States to amend their general laws or devise new measures in this regard I do not consider in the present communication, but confine myself to the particular point raised by the outrage and massacre at Rock Springs.

The note of the Chinese minister and the documents which accompany it give, as I believe, an unexaggerated statement of the lamentable incident, and present impressively the regrettable circumstance that the proceedings, in the name of justice, for the ascertainment of the crime and fixing the responsibility therefor were a ghastly mockery of justice. So long as the Chinese minister, under his instructions, makes this the basis of an appeal to the principles and convictions of mankind, no exception can be taken; but when he goes further, and, taking as his precedent the action of the Chinese Government in past instances where the lives of American citizens and their property in China have been endangered, argues a reciprocal obligation on the part of the United States to indemnify the Chinese subjects who suffered at Rock Springs, it became necessary to meet his argument and to deny most emphatically the conclusions he seeks to draw as to the existence of such a liability and the right of the Chinese Government to insist upon it.

I draw the attention of the Congress to the latter part of the note of the Secretary of State of February 18, 1886, in reply to the Chinese minister's representations, and invite especial consideration of the cogent reasons by which he reaches the conclusion that whilst the United States

Government is under no obligation, whether by the express terms of its treaties with China or the principles of international law, to indemnify these Chinese subjects for losses caused by such means and under the admitted circumstances, yet that in view of the palpable and discreditable failure of the authorities of Wyoming Territory to bring to justice the guilty parties or to assure to the sufferers an impartial forum in which to seek and obtain compensation for the losses which those subjects have incurred by lack of police protection, and considering further the entire absence of provocation or contribution on the part of the victims, the Executive may be induced to bring the matter to the benevolent consideration of the Congress, in order that that body, in its high discretion, may direct the bounty of the Government in aid of innocent and peaceful strangers whose maltreatment has brought discredit upon the country, with the distinct understanding that such action is in no wise to be held as a precedent, is wholly gratuitous, and is resorted to in a spirit of pure generosity toward those who are otherwise helpless.

The correspondence exchanged is herewith submitted for the information of the Congress, and accompanies a like message to the House of Representatives.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 2, 1886*

To the Senate and House of Representatives:

I transmit herewith a communication of the 27th ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill, prepared in the Office of Indian Affairs, for the purpose of securing to the Cherokees and others, citizens of the Cherokee Nation by adoption and incorporation, a sum equal to their proportion of the $300,000, proceeds of lands west of 96° in the Indian Territory, appropriated by the act of March 3, 1883.

The matter is presented for the consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 2, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 25th ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill recommended by the Commissioner of Indian Affairs, for the payment of money claimed under alleged existing treaty stipulations and laws by such Eastern Cherokee Indians as have removed or shall hereafter remove themselves to the Indian Territory.

The matter is presented for the consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 2, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 26th ultimo from the Secretary of the Interior, with inclosures, requesting legislation to provide for the reappraisement and sale of a small tract of land in the State of Nebraska belonging to the Sac and Fox Indian Reservation.

The matter is presented for the action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 3 1886.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the seventeenth annual report of the Board of Indian Commissioners, for the year 1885, submitted to the Secretary of the Interior in pursuance of the act of May 17, 1882.

The report accompanies the message to the House of Representatives.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 10, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 5th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill, prepared in the Office of Indian Affairs, "for the relief of the Omaha tribe of Indians in the State of Nebraska."

The matter is presented for the consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 10, 1886.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, the report of the National Board of Health for the year 1885.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 17, 1886.*

To the Senate of the United States:

I transmit herewith a communication from the Secretary of State, being a revised list of papers on file in the Department of State touching the unpaid claims of citizens of the United States against France for spoliation prior to July 31, 1801.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 17, 1886.*

To the Senate of the United States:

In response to the resolution of the Senate of the 17th of February, requesting to be furnished with a copy of the report made by the consul-general of the United States at Berlin upon the shipping interest of Germany, I transmit a report of the Secretary of State upon the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 17, 1886.

To the Senate of the United States:

In compliance with the resolution of the Senate in executive session of the 27th of January, I transmit herewith the report of the Secretary of State and the papers accompanying it, relating to the emigration of Chinese to the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 18, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 16th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill, prepared by the Commissioner of Indian Affairs, providing for the use of certain funds, proceeds of Indian reservations, covered into the Treasury under the provisions of the act of March 3, 1883, for the benefit of the Indians on whose account the same is covered in.

The subject is recommended to the favorable consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 18, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior, submitting, with accompanying papers, a draft of a bill, prepared by the Commissioner of Indian Affairs, "to authorize the purchase of a tract of land near Salem, Oreg., for the use of the Indian training school."

The subject is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 18, 1886.*

To the Senate:

In compliance with a resolution of the Senate of February 9, 1886, I herewith transmit a report from the Secretary of State, with its accom-

HAYMARKET RIOTS

HAYMARKET RIOT.

1886 was a year of great labor unrest in the United States, and nowhere was this unrest more evident than in the city of Chicago, where a strike of freight-handlers disturbed all the industries of the city. On May 3, there occurred a conflict between the police and the strikers, in which several of the workingmen were wounded. On the next day, Anarchists called a meeting of protest in Haymarket Square, at which various speakers delivered incendiary speeches. When a speaker openly exhorted his hearers to resort to violence, the police tried to disperse the meeting, only to be met with a dynamite bomb which killed and wounded a number of the officers and bystanders. Seven anarchists were tried for murder as a result of the bomb-throwing, of whom four were hanged, one committed suicide, and two were sentenced to jail terms, only to be pardoned some years later. The excitement aroused by the "Haymarket Riot" was intense over the entire country, and for a long time feeling against anarchists ran high. (See Haymarket Riot, Encyclopedic Index.)

panying documents, relative to the commerce between the United States and certain foreign countries in cereals, and the cotton product during the years 1884 and 1885.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 22, 1886.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 15th of February last, calling upon the Secretary of State for copies of all the correspondence relating to the claims of certain governments to be accorded the reductions and exemptions of tonnage dues accorded to vessels entering ports of the United States from certain ports named in the shipping act of June 26, 1884, I transmit the report of that officer, together with the correspondence.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 25, 1886.*

To the Senate and House of Representatives:

I transmit herewith the report of the Civil Service Commission for the year ended on the 16th day of January last.

The exhibit thus made of the operations of the Commission and the account thus presented of the results following the execution of the civil-service law can not fail to demonstrate its usefulness and strengthen the conviction that this scheme for a reform in the methods of administering the Government is no longer an experiment.

Wherever this reform has gained a foothold it has steadily advanced in the esteem of those charged with public administrative duties, while the people who desire good government have constantly been confirmed in their high estimate of its value and efficiency.

With the benefits it has already secured to the public service plainly apparent, and with its promise of increased usefulness easily appreciated, this cause is commended to the liberal care and jealous protection of the Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 30, 1886.*

To the House of Representatives:

In further answer to the resolution of the House of Representatives of the 15th of February last, calling upon the Secretary of State for copies of all correspondence relating to the claims of governments to be accorded the reductions and exemptions of tonnage dues accorded to vessels entering the ports of the United States from certain ports named in the shipping act of June 26, 1884, I transmit herewith a copy of the reply of the Attorney-General to the letter of the Secretary of State of December 15, 1885, as found on pages 35 and 36 of Executive Document No. 132, House of Representatives, Forty-ninth Congress, first session, communicated on the 22d instant.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 1, 1886.*

To the House of Representatives:

In response to a resolution of the House of Representatives of the 24th of March, relative to the employment of substitutes in the Department of State, I transmit herewith a report of the Secretary of State on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 1, 1886.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior and the accompanying report, submitted by the governor of Alaska in compliance with section 5 of the act of May 17, 1884, entitled "An act providing a civil government for Alaska."

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 1, 1886.*

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State, in relation to the claim of the representatives of the late Hon. James Crooks, a British subject, against this Government for the seizure of the schooner *Lord Nelson* in 1812.

The matter is commended to the favorable consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 6, 1886.*

To the Senate and House of Representatives of the United States:

I transmit herewith, for the consideration of Congress with a view to appropriate legislation in the premises, a report of the Secretary of State, with certain correspondence touching the treaty right of Chinese subjects other than laborers "to go and come of their own free will and accord."

In my annual message of the 8th of December last I said:

> In the application of the acts lately passed to execute the treaty of 1880, restrictive of the immigration of Chinese laborers into the United States, individual cases of hardship have occurred beyond the power of the Executive to remedy, and calling for judicial determination.

These cases of individual hardship are due to the ambiguous and defective provisions of the acts of Congress approved respectively on the

6th May, 1882, and 5th July, 1884. The hardship has in some cases been remedied by the action of the courts. In other cases, however, where the phraseology of the statutes has appeared to be conclusive against any discretion on the part of the officers charged with the execution of the law, Chinese persons expressly entitled to free admission under the treaty have been refused a landing and sent back to the country whence they came without being afforded any opportunity to show in the courts or otherwise their right to the privilege of free ingress and egress which it was the purpose of the treaty to secure.

In the language of one of the judicial determinations of the Supreme Court of the United States to which I have referred—

> The supposition should not be indulged that Congress, while professing to faithfully execute the treaty stipulations and recognizing the fact that they secure to a certain class the right to go from and come to the United States, intended to make its protection depend upon the performance of conditions which it was physically impossible to perform. (112 U. S. Reports, p. 554, Chew Heong *vs.* United States.)

The act of July 5, 1884, imposes such an impossible condition in not providing for the admission, under proper certificate, of Chinese travelers of the exempted classes in the cases most likely to arise in ordinary commercial intercourse.

The treaty provisions governing the case are as follows:

> ART. I. * * * The limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. * * *
>
> ART. II. Chinese subjects, whether proceeding to the United States as teachers, students, merchants, or from curiosity, together with their body and household servants, * * * shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation.

Section 6 of the amended Chinese immigration act of 1884 purports to secure this treaty right to the exempted classes named by means of prescribed certificates of their status, which certificates shall be the *prima facie* and the sole permissible evidence to establish a right of entry into the United States. But it provides in terms for the issuance of certificates in two cases only:

(*a*) Chinese subjects departing from a port of China; and

(*b*) Chinese persons (*i. e.*, of the Chinese race) who may at the time be subjects of some foreign government other than China, and who may depart for the United States from the ports of such other foreign government.

A statute is certainly most unusual which, purporting to execute the provisions of a treaty with China in respect of Chinese subjects, enacts strict formalities as regards the subjects of other governments than that of China.

It is sufficient that I should call the earnest attention of Congress to the circumstance that the statute makes no provision whatever for the somewhat numerous class of Chinese persons who, retaining their Chinese subjection in some countries other than China, desire to come from such countries to the United States.

Chinese merchants have trading operations of magnitude throughout the world. They do not become citizens or subjects of the country where they may temporarily reside and trade; they continue to be subjects of China, and to them the explicit exemption of the treaty applies. Yet if such a Chinese subject, the head of a mercantile house at Hongkong or Yokohama or Honolulu or Havana or Colon, desires to come from any of these places to the United States, he is met with the requirement that he must produce a certificate, in prescribed form and in the English tongue, issued by the Chinese Government. If there be at the foreign place of his residence no representative of the Chinese Government competent to issue a certificate in the prescribed form, he can obtain none, and is under the provisions of the present law unjustly debarred from entry into the United States. His usual Chinese passport will not suffice, for it is not in the form which the act prescribes shall be the sole permissible evidence of his right to land. And he can obtain no such certificate from the Government of his place of residence, because he is not a subject or citizen thereof "at the time," or at any time.

There being, therefore, no statutory provision prescribing the terms upon which Chinese persons resident in foreign countries but not subjects or citizens of such countries may prove their status and rights as members of the exempted classes in the absence of a Chinese representative in such country, the Secretary of the Treasury, in whom the execution of the act of July 5, 1884, was vested, undertook to remedy the omission by directing the revenue officers to recognize as lawful certificates those issued in favor of Chinese subjects by the Chinese consular and diplomatic officers at the foreign port of departure, when viséed by the United States representative thereat. This appears to be a just application of the spirit of the law, although enlarging its letter, and in adopting this rule he was controlled by the authority of high judicial decision as to what evidence is necessary to establish the fact that an individual Chinaman belongs to the exempted class.

He, however, went beyond the spirit of the act and the judicial decisions, by providing, in a circular dated January 14, 1885, for the original issuance of such a certificate by the United States consular officer at the port of departure, in the absence of a Chinese diplomatic or consular representative thereat; for it is clear that the act of Congress contemplated the intervention of the United States consul only in a supervisory capacity, his function being to check the proceeding and see that no abuse of the privilege followed. The power or duty of original certification is wholly distinct from that supervisory function. It either dispenses with the foreign certificate altogether, leaving the consular visé to stand alone and sufficient, or else it combines in one official act the distinct functions of certification and verification of the fact certified.

The official character attaching to the consular certification contemplated by the unamended circular of January 14, 1885, is to be borne in mind. It is not merely *prima facie* evidence of the status of the bearer, such as the courts may admit in their discretion; it was prescribed as an official attestation, on the strength of which the customs officers at the port of entry were to admit the bearer without further adjudication of his status unless question should arise as to the truth of the certificate itself.

It became, therefore, necessary to amend the circular of January 14, 1885, and this was done on the 13th of June following, by striking out the clause prescribing original certification of status by the United States consuls. The effect of this amendment is to deprive any certificate the United States consuls may issue of the value it purported to possess as sole permissible evidence under the statute when its issuance was prescribed by Treasury regulations. There is, however, nothing to prevent consuls giving certificates of facts within their knowledge to be received as evidence in the absence of statutory authentication.

The complaint of the Chinese minister in his note of March 24, 1886, is that the Chinese merchant Lay Sang, of the house of King Lee & Co., of San Francisco, having arrived at San Francisco from Hongkong and exhibited a certificate of the United States consul at Hongkong as to his status as a merchant, and consequently exempt under the treaty, was refused permission to land and was sent back to Hongkong by the steamer which brought him. While the certificate he bore was doubtless insufficient under the present law, it is to be remembered that there is at Hongkong no representative of the Government of China competent or authorized to issue the certificate required by the statute. The intent of Congress to legislate in execution of the treaty is thus defeated by a prohibition directly contrary to the treaty, and conditions are exacted which, in the words of the Supreme Court hereinbefore quoted, "it was physically impossible to perform."

This anomalous feature of the act should be reformed as speedily as possible, in order that the occurrence of such cases may be avoided and the imputation removed which would otherwise rest upon the good faith of the United States in the execution of their solemn treaty engagements.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 9, 1886.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, in relation to the mercantile marines of France, Germany, Great Britain, and Italy.

GROVER CLEVELAND

EXECUTIVE MANSION, *April 14, 1886.*

To the House of Representatives:

In response to a resolution of the House of Representatives of the 17th ultimo, requesting the Secretary of State "to communicate to the House of Representatives, if not incompatible with the public interest, copies of the recent correspondence and dispatches between the Secretary of State and the minister of the United States at The Hague touching the subject of taxation of petroleum in Holland and in the Dutch colonies, and that of the export therefrom of leaf tobacco to the United States," I transmit herewith the report of the Secretary of State on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 14, 1886.*

To the House of Representatives:

In response to a resolution of the House of Representatives of the 6th instant, requesting the Secretary of State "to transmit, if not incompatible with the public interest, copies of all correspondence between his Department and the representatives of France, Germany, Austria, and any other European country which has partially or entirely restricted the importation of American pork," I transmit herewith the report of the Secretary of State on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 20, 1886.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State on the manufacture of milk sugar in Switzerland.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 22, 1886.*

To the Senate and House of Representatives:

The Constitution imposes upon the President the duty of recommending to the consideration of Congress from time to time such measures as he shall judge necessary and expedient.

I am so deeply impressed with the importance of immediately and thoughtfully meeting the problem which recent events and a present condition have thrust upon us, involving the settlement of disputes arising between our laboring men and their employers, that I am constrained to recommend to Congress legislation upon this serious and pressing subject.

Under our form of government the value of labor as an element of national prosperity should be distinctly recognized, and the welfare of the laboring man should be regarded as especially entitled to legislative care. In a country which offers to all its citizens the highest attainment of social and political distinction its workingmen can not justly or safely be considered as irrevocably consigned to the limits of a class and entitled to no attention and allowed no protest against neglect.

The laboring man, bearing in his hand an indispensable contribution to our growth and progress, may well insist, with manly courage and as a right, upon the same recognition from those who make our laws as is accorded to any other citizen having a valuable interest in charge; and his reasonable demands should be met in such a spirit of appreciation and fairness as to induce a contented and patriotic cooperation in the achievement of a grand national destiny.

While the real interests of labor are not promoted by a resort to threats and violent manifestations, and while those who, under the pretext of an advocacy of the claims of labor, wantonly attack the rights of capital and for selfish purposes or the love of disorder sow seeds of violence and discontent should neither be encouraged nor conciliated, all legislation on the subject should be calmly and deliberately undertaken, with no purpose of satisfying unreasonable demands or gaining partisan advantage.

The present condition of the relations between labor and capital is far from satisfactory. The discontent of the employed is due in a large degree to the grasping and heedless exactions of employers and the alleged discrimination in favor of capital as an object of governmental attention. It must also be conceded that the laboring men are not always careful to avoid causeless and unjustifiable disturbance.

Though the importance of a better accord between these interests is apparent, it must be borne in mind that any effort in that direction by the Federal Government must be greatly limited by constitutional restrictions. There are many grievances which legislation by Congress can not redress, and many conditions which can not by such means be reformed.

I am satisfied, however, that something may be done under Federal authority to prevent the disturbances which so often arise from disputes between employers and the employed, and which at times seriously threaten the business interests of the country; and, in my opinion, the proper theory upon which to proceed is that of voluntary arbitration as the means of settling these difficulties.

But I suggest that instead of arbitrators chosen in the heat of conflicting claims, and after each dispute shall arise, for the purpose of determining the same, there be created a commission of labor, consisting of three members, who shall be regular officers of the Government, charged among other duties with the consideration and settlement, when possible, of all controversies between labor and capital.

A commission thus organized would have the advantage of being a stable body, and its members, as they gained experience, would constantly improve in their ability to deal intelligently and usefully with the questions which might be submitted to them. If arbitrators are chosen for temporary service as each case of dispute arises, experience and familiarity with much that is involved in the question will be lacking, extreme partisanship and bias will be the qualifications sought on either side, and frequent complaints of unfairness and partiality will be inevitable. The imposition upon a Federal court of a duty so foreign to the judicial function as the selection of an arbitrator in such cases is at least of doubtful propriety.

The establishment by Federal authority of such a bureau would be a just and sensible recognition of the value of labor and of its right to be represented in the departments of the Government. So far as its conciliatory offices shall have relation to disturbances which interfere with transit and commerce between the States, its existence would be justified under the provision of the Constitution which gives to Congress the power "to regulate commerce with foreign nations and among the several States;" and in the frequent disputes between the laboring men and their employers, of less extent, and the consequences of which are confined within State limits and threaten domestic violence, the interposition of such a commission might be tendered, upon the application of the legislature or executive of a State, under the constitutional provision which requires the General Government to "protect" each of the States "against domestic violence."

If such a commission were fairly organized, the risk of a loss of popular support and sympathy resulting from a refusal to submit to so peaceful an instrumentality would constrain both parties to such disputes to invoke its interference and abide by its decisions. There would also be good reason to hope that the very existence of such an agency would invite application to it for advice and counsel, frequently resulting in the avoidance of contention and misunderstanding.

If the usefulness of such a commission is doubted because it might lack power to enforce its decisions, much encouragement is derived from the conceded good that has been accomplished by the railroad commissions which have been organized in many of the States, which, having little more than advisory power, have exerted a most salutary influence in the settlement of disputes between conflicting interests.

In July, 1884, by a law of Congress, a Bureau of Labor was established and placed in charge of a Commissioner of Labor, who is required to "collect information upon the subject of labor, its relations to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity."

The commission which I suggest could easily be ingrafted upon the bureau thus already organized by the addition of two more commissioners and by supplementing the duties now imposed upon it by such other powers and functions as would permit the commissioners to act as arbitrators when necessary between labor and capital, under such limitations and upon such occasions as should be deemed proper and useful.

Power should also be distinctly conferred upon this bureau to investigate the causes of all disputes as they occur, whether submitted for arbitration or not, so that information may always be at hand to aid legislation on the subject when necessary and desirable.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 26, 1886.*

To the House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanied by a report of Mr. Somerville P. Tuck, appointed to carry out certain provisions of section 5 of an act entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801," approved January 20, 1885.

GROVER CLEVELAND.

[The same message was sent to the Senate.]

EXECUTIVE MANSION, *May 5, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 1st instant from the Secretary of the Interior, submitting a draft of a bill recommended by the Commissioner of Indian Affairs, providing for the payment of improvements made by settlers on the lands of the Mescalero Indian Reservation in the Territory of New Mexico.

The subject is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 11, 1886.*

To the Senate and House of Representatives:

I herewith transmit a report from the Secretary of State, dated the 6th instant, touching the claims of Benjamin Weil and La Abra Silver Mining Company against the Government of Mexico.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 11, 1886.*

To the Senate and House of Representatives:

By a joint resolution of Congress approved March 3, 1877, the President was authorized and directed to accept the colossal statue of "Liberty Enlightening the World" when presented by the citizens of the French Republic, and to designate and set apart for the erection thereof a suitable site upon either Governors or Bedloes Island, in the harbor of New York, and upon the completion thereof to cause the statue "to be inaugurated with such ceremonies as will serve to testify the gratitude of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister Republic."

The President was further thereby "authorized to cause suitable regulations to be made for its future maintenance as a beacon and for the permanent care and preservation thereof as a monument of art and the continued good will of the great nation which aided us in our struggle for freedom."

Under the authority of this resolution, on the 4th day of July, 1884, the minister of the United States to the French Republic, by direction of the President of the United States, accepted the statue and received a deed of presentation from the Franco-American Union, which is now preserved in the archives of the Department of State.

I now transmit to Congress a letter to the Secretary of State from Joseph W. Drexel, esq., chairman of the executive committee of "the American committee on the pedestal of the great statue of 'Liberty Enlightening the World,'" dated the 27th of April, 1886, suggesting the propriety of the further execution by the President of the joint resolution referred to by prescribing the ceremonies of inauguration to be observed upon the complete erection of the statue upon its site on Bedloes Island, in the harbor of New York.

Thursday, the 3d of September, being the anniversary of the signing of the treaty of peace at Paris by which the independence of these United States was recognized and secured, has been suggested by this committee under whose auspices and agency the pedestal for the statue has been constructed as an appropriate day for the ceremonies of inauguration.

The international character which has been imprinted upon this work by the joint resolution of 1877 makes it incumbent upon Congress to provide means to carry their resolution into effect.

Therefore I recommend the appropriation of such sum of money as in the judgment of Congress shall be deemed adequate and proper to defray the cost of the inauguration of this statue.

I have been informed by the committee that certain expenses have been incurred in the care and custody of the statue since it was deposited on Bedloes Island, and the phraseology of the joint resolution providing for "the permanent care and preservation thereof as a monument of art" would seem to include the payment by the United States of the expense so incurred since the reception of the statue in this country.

The action of the French Government and people in relation to the presentation of this statue to the United States will, I hope, meet with hearty and responsive action upon the part of Congress, in which the Executive will be most happy to cooperate.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 11, 1886.*

To the Senate and House of Representatives:

The last general appropriation bill passed by the legislature of Utah was vetoed by the then governor of that Territory. It made an appropriation of money for the support of the district courts of the Territory, including the pay of reporters, jurors, and witnesses, and for the completion and maintenance of the Deseret University and the education of the deaf mutes therein. It also appropriated for the support of the Territorial insane asylum, as well as the salaries of Territorial officers, including that of the superintendent of the district schools, the auditor, the librarian, and the treasurer of the Territory. It also provided for internal improvements, such as roads and bridges.

The appropriation for the district courts, for the payment of witnesses and jurors in criminal cases, was $40,000; that for the Deseret University and the deaf mutes was $66,000, and for the insane asylum $25,000.

The board of regents of the Deseret University have borrowed money for the completion of the university buildings which were authorized by legislative action, and which is now due and no provision made for the payment. The act appropriating for the benefit of the Territorial insane asylum passed by the legislature was also vetoed. This included the sum of $13,000, which had been borrowed by the board of directors of the asylum for its completion and furnishing, and which now remains due and unpaid. It also included the sum of $3,548.85 for the care and maintenance of the indigent insane.

The legislature of the Territory, under existing law, will not again convene for nearly two years, there being no authority for a special session. In the meantime, under present conditions, the good order of society will be jeopardized, educational and charitable institutions will be paralyzed, and internal improvements stopped until the legislature meets and makes provision for their support.

A determination on the part of the General Government to suppress certain unlawful practices in this Territory demands neither the refusal of the means to support the local government nor the sacrifice of the interests of the community.

I therefore recommend the immediate enactment of such legislation as will authorize the assembling of the legislature of that Territory in special session at an early day, so that provision can be made to meet the difficulties herein suggested.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 17, 1886.

To the Senate:

I transmit to the Senate, for its consideration with a view to ratification, a supplementary article, signed the 14th instant by the Secretary of State and the minister of Mexico here, extending until May 20, 1887, the time specified in Article VIII of the commercial reciprocity treaty of January 20, 1883, between the United States and Mexico, for the approval of the laws necessary to carry the said treaty into effect.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 17, 1886.

To the Senate:

In response to a resolution of the Senate of the 5th instant, inquiring as to the necessity for the continuance of the present charge for passports for American citizens desiring to visit foreign countries, I transmit herewith the report of the Secretary of State on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 17, 1886.

To the Senate and House of Representatives:

With reference to the paragraph in my annual message to Congress in which I called attention to the uncertainty that exists as to the location of the frontier line between Alaska and British Columbia as defined by the treaty of cession with Russia of March 30, 1867, I now transmit herewith, for the information and consideration of Congress, a report of the Secretary of State upon the subject, with accompanying papers.

In view of the importance of the subject, I recommend that provision be made by law for a preliminary survey of the boundary line in question by officers of the United States, in order that the information necessary for the basis of a treaty between this country and Great Britain for the establishment of a definite boundary line may be obtained; and I also recommend that the sum of $100,000, or so much thereof as may be necessary, be appropriated for the expenses of making such survey.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 21, 1886.

To the Senate of the United States:

I transmit herewith, for your consideration with a view to their ratification, the "convention concerning the international exchanges for official documents and literary publications" and the "convention for assuring the immediate exchange of the official journal as well as of the parliamentary annals and documents."

The first was signed at Brussels on the 15th of March, 1886, by the plenipotentiaries of the United States, Belgium, Brazil, Spain, Italy, Portugal, Servia, and Switzerland.

The second was signed at the same place and on the same date by the plenipotentiaries of the above-named powers, with the exception of Switzerland.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 21, 1886.*

To the Senate and House of Representatives:

I herewith transmit a report from the Secretary of State, dated the 19th instant, touching the necessity of legislation to carry into effect the provisions of Article II of the treaty between the United States and China of November 17, 1880, for the repression of the opium traffic, and recommend that appropriate legislation to fulfill that treaty promise of this Government be provided without further delay.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, accompanying the report of consuls of the United States on the trade and commerce of foreign countries.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 1, 1886.*

To the House of Representatives:

In response to a resolution of the House of Representatives of the 17th of March last, requesting the Secretary of State "to communicate to the House of Representatives, if not incompatible with the public interest, copies of recent correspondence and dispatches between the Secretary of State and the minister of the United States at The Hague touching the subject of taxation on petroleum in Holland and in the Dutch colonies, and that of the export therefrom of leaf tobacco to the United States," with reference to my message to the House of Representatives of the 14th ultimo [April], I now transmit a further report of the Secretary of State on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 2, 1886.*

To the House of Representatives:

In compliance with the request of the House of Representatives of this date, I return herewith House bill No. 6391, entitled "An act to authorize the Kansas City, Fort Scott and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 9, 1886.*

To the Senate and House of Representatives:

I herewith transmit a letter from the Secretary of State, with an accompanying paper, in relation to the distribution of the fund appropriated by the act of April 20, 1882, for the relief of the captain, owners, officers, and crew of the brig *General Armstrong*.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, June 9, 1886.

To the Senate of the United States:

I transmit herewith, for your consideration with a view to its ratification, a convention for the extradition of criminals, signed at Tokyo on the 29th day of April, 1886, by the plenipotentiaries of the United States and the Empire of Japan.

The negotiation which led to the conclusion of this convention was caused immediately by the case of a forger in San Francisco, who, having fled to Japan, was delivered up to the authorities of the State of California. It was not possible for this Government to ask his surrender, but the Japanese Government of its own motion caused his delivery as a friendly act. It then suggested the conclusion of an extradition convention between the two countries. The suggestion was favorably entertained by this Government, not only on account of the importance of such a treaty to the execution of the criminal laws of the United States, but also because of the support which its conclusion would give to Japan in her efforts toward judicial autonomy and complete sovereignty.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 15, 1886.*

To the House of Representatives:

I transmit herewith a report from the Secretary of State, concerning the claim of Benjamin Weil and La Abra Mining Company, of Mexico, agreeably to the resolution of the House of Representatives dated May 13, 1886.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

Upon an examination of a bill originating in the House of Representatives, No. 4838, entitled "An act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," I find that there is such a failure to adjust existing laws to the new departure proposed by the bill as to greatly endanger the public service if this bill should not be amended or at once supplemented by additional legislation.

The fees which are at present collected from vessels for services performed by the Bureau of Inspection, and which made up the fund from which certain expenses appurtenant to that Bureau were paid, are by the proposed bill abolished, but no provision has been substituted directing that such expenses shall be paid from the public Treasury or any other source.

The objects of the bill are in the main so useful and important that I have concluded to approve the same upon the assurance of those actively promoting its passage that another bill shall at once be introduced to cover the defect above referred to.

The necessity of such supplemental legislation is so obvious that I hope it will receive the immediate action of the Congress.

GROVER CLEVELAND

EXECUTIVE MANSION, *June 28, 1886.*

To the Senate and House of Representatives:

I herewith inclose a report from the Secretary of State, with its accompanying copies of papers, relative to the case of the American schooner *Ounalaska*, which was duly condemned by the Government of Salvador for having been employed in aid of an insurrection against that Republic, and was subsequently presented to the United States. It seems that an act of Congress accepting the gift on the part of this Government is necessary to complete the transfer, and I recommend that legislation in this sense be adopted. It further appears that one Isidore Gutte, of San Francisco, has sought to obtain possession of the condemned vessel, and I therefore suggest that a second provision to the law accepting her be made giving authority to the Court of Claims to hear and determine the question of title.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 28, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication, with an accompanying paper, from the Secretary of State, in relation to the distribution of the award of the late Mexican Claims Commission in the case of S. A. Belden & Co. against the Republic of Mexico.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 30, 1886.*

To the Senate:

In response to the resolution of the Senate of the 28th of April last, I transmit herewith a report of the Secretary of State in relation to the affairs of the independent State of the Kongo.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 6, 1886.*

To the House of Representatives:

In compliance with a concurrent resolution of this date, I return herewith House bill No. 3501, entitled "An act granting a pension to Daniel J Bingham."

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, July 8, 1886.

To the Senate of the United States:

I transmit herewith, for your consideration with a view to its ratification, a convention signed at London June 25, 1886, between the United States of America and Great Britain, concerning the extradition of persons charged with crime.

I also inclose a report from the Secretary of State and a copy of a dispatch from the United States minister at London dated June 26, 1886, in reference thereto.

The question of extradition has been discussed between the two countries by Secretaries Fish, Evarts, and Frelinghuysen, as well as by the present Secretary of State, and the method adopted by the inclosed convention, namely, that of amending and extending the provisions of the tenth article of the treaty of 1842, has seemed the most convenient and expeditious.

In view of the continued pendency of the question and its great importance owing to the contiguity of Her Majesty's territories with those of the United States, I respectfully urge the consideration of the convention by the Senate during the present session.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 9, 1886.*

To the Senate and House of Representatives:

I transmit herewith, for your information, a report from the Secretary of State, inclosing the correspondence which has been exchanged between the Department of State and the Governments of Switzerland and Italy on the subject of international copyright.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 12, 1886.*

To the Senate and House of Representatives:

I transmit herewith a communication of 3d instant, with inclosures, from the Secretary of the Interior, recommending legislative authority for the use of funds from appropriation, Sioux, etc., 1887, for the subsistence of certain Northern Cheyenne Indians who have gone or who may go from the Sioux Reservation in Dakota to the Tongue River Indian Agency or vicinity, in Montana.

The matter is presented for the favorable consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 24, 1886.*

To the Senate of the United States:

In response to the resolutions of the Senate dated respectively May 10 and July 10, 1886, touching alleged seizures and detentions of vessels of the United States in British North American waters, I transmit herewith a report of the Secretary of State, with accompanying papers.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 27, 1886.*

To the House of Representatives:

I transmit herewith, in response to the House resolution of the 10th instant, a report from the Secretary of State, and accompanying papers, relating to the imprisonment in Ecuador and subsequent release of Julio R. Santos.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 29, 1886.*

To the House of Representatives:

I transmit herewith a report of the Secretary of State, in reply to the resolution of the House of Representatives of the 27th of May last, in relation to trust funds.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 29, 1886.*

To the Senate of the United States:

I transmit herewith reports from the heads of the several Executive Departments of the Government, in answer to a resolution of the Senate of June 18, 1886, which requested certain information regarding appointments in such Departments, and having relation to the civil-service law.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 30, 1886.*

To the Senate of the United States:

In further response to the Senate resolutions of the 10th of May and 10th of July, 1886, touching the seizure and detention of American vessels in Canadian waters, I transmit herewith a letter from the Secretary of State dated the 29th instant, accompanied by a report from the consul-general at Halifax relative to the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 31, 1886.*

To the House of Representatives:

I have approved House bill No. 4335, entitled "An act making an appropriation to continue the construction of a public building at Clarksburg, W. Va., and changing the limit of cost thereof."

A law passed by the last Congress authorized the construction of this building and appropriated $50,000 for that purpose, which was declared to be the limit of its cost. A site has been purchased for said building, and, as is too often the case, it is now discovered that the sum appropriated is insufficient to meet the expense of such a building as is really needed.

The object of the bill which I have approved is to extend the limit of the cost to $80,000 and to make the additional appropriation to reach that sum. The first section fixes the limit above mentioned, but the second section appropriates $35,000, and thus, with the appropriation of $50,000 heretofore made, the aggregate appropriations exceed the sum to which the cost of the building is limited by $5,000.

Inasmuch as this latter sum can not properly be applied to the construction of the building, attention is called to the existence of this excess of appropriation and the suggestion made that it be returned to the Treasury.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 2, 1886.*

To the Senate of the United States:

In response to the resolution of your honorable body of the 26th ultimo, I transmit a report of the Secretary of State, with accompanying papers, communicating the information possessed by the Department of State "concerning the alleged illegal detention of A. K. Cutting, an American citizen, by the Mexican authorities at El Paso del Norte;" and as to the further inquiry contained in said resolution, "whether any additional United States troops have been recently ordered to Fort Bliss," I answer in the negative.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 2, 1886.*

To the House of Representatives:

In performance of the duty imposed upon me by the Constitution, I herewith transmit for your information (the same having heretofore been communicated to the Senate in response to a resolution of inquiry adopted by that body July 26, 1886) certain correspondence and accompanying documents in relation to the arrest and imprisonment at Paso del Norte by Mexican authority of A. K. Cutting, a citizen of the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 2, 1886.*

To the House of Representatives:

I have this day approved a bill originating in the House of Representatives entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine."

This legislation has awakened much interest among the people of the country, and earnest argument has been addressed to the Executive for the purpose of influencing his action thereupon. Many in opposition have urged its dangerous character as tending to break down the boundaries between the proper exercise of legislative power by Federal and State authority; many in favor of the enactment have represented that it promised great advantages to a large portion of our population who sadly need relief; and those on both sides of the question whose advocacy or opposition is based upon no broader foundation than local or personal interest have outnumbered all the others.

This upon its face and in its main features is a revenue bill, and was first introduced in the House of Representatives, wherein the Constitution declares that all bills for raising revenue shall originate.

The Constitution has invested Congress with a very wide legislative discretion both as to the necessity of taxation and the selection of the objects of its burdens; and though if the question was presented to me as an original proposition I might doubt the present need of increased taxation, I deem it my duty in this instance to defer to the judgment of the legislative branch of the Government, which has been so emphatically announced in both Houses of Congress upon the passage of this bill.

Moreover, those who desire to see removed the weight of taxation now pressing upon the people from other directions may well be justified in the hope and expectation that the selection of an additional subject of internal taxation so well able to bear it will in consistency be followed by legislation relieving our citizens from other revenue burdens, rendered by the passage of this bill even more than heretofore unnecessary and needlessly oppressive.

It has been urged as an objection to this measure that while purporting to be legislation for revenue its real purpose is to destroy, by the use of the taxing power, one industry of our people for the protection and benefit of another.

If entitled to indulge in such a suspicion as a basis of official action in this case, and if entirely satisfied that the consequences indicated would ensue, I should doubtless feel constrained to interpose Executive dissent.

But I do not feel called upon to interpret the motives of Congress otherwise than by the apparent character of the bill which has been presented to me, and I am convinced that the taxes which it creates can not possibly destroy the open and legitimate manufacture and sale of the thing upon which it is levied. If this article has the merit which its friends claim for it, and if the people of the land, with full knowledge of its real character, desire to purchase and use it, the taxes exacted by this bill will permit a fair profit to both manufacturer and dealer. If the existence of the commodity taxed and the profits of its manufacture and sale depend upon disposing of it to the people for something else which it deceitfully imitates, the entire enterprise is a fraud and not an industry; and if it can not endure the exhibition of its real character which will be effected by the inspection, supervision, and stamping which this bill directs, the sooner it is destroyed the better in the interest of fair dealing.

Such a result would not furnish the first instance in the history of legislation in which a revenue bill produced a benefit which was merely incidental to its main purpose.

There is certainly no industry better entitled to the incidental advantages which may follow this legislation than our farming and dairy interests, and to none of our people should they be less begrudged than our farmers and dairymen. The present depression of their occupations, the hard, steady, and often unremunerative toil which such occupations exact, and the burdens of taxation which our agriculturists necessarily bear entitle them to every legitimate consideration.

Nor should there be opposition to the incidental effect of this legislation on the part of those who profess to be engaged honestly and fairly in the manufacture and sale of a wholesome and valuable article of food which by its provisions may be subject to taxation. As long as their business is carried on under cover and by false pretenses such men have bad companions in those whose manufactures, however vile and harmful, take their place without challenge with the better sort in a common crusade of deceit against the public. But if this occupation and its methods are forced into the light and all these manufactures must thus either stand upon their merits or fall, the good and bad must soon part company and the fittest only will survive.

Not the least important incident related to this legislation is the defense afforded to the consumer against the fraudulent substitution and sale of an imitation for a genuine article of food of very general household use. Notwithstanding the immense quantity of the article described in this bill which is sold to the people for their consumption as food, and notwithstanding the claim made that its manufacture supplies a cheap substitute for butter, I venture to say that hardly a pound ever entered a poor man's house under its real name and in its true character.

While in its relation to an article of this description there should be no governmental regulation of what the citizen shall eat, it is certainly not a cause of regret if by legislation of this character he is afforded a means by which he may better protect himself against imposition in meeting the needs and wants of his daily life.

Having entered upon this legislation, it is manifestly a duty to render it as effective as possible in the accomplishment of all the good which should legitimately follow in its train.

This leads to the suggestion that the article proposed to be taxed and the circumstances which subject it thereto should be clearly and with great distinctness defined in the statute. It seems to me that this object has not been completely attained in the phraseology of the second section of the bill, and that question may well arise as to the precise condition the article to be taxed must assume in order to be regarded as "made in imitation or semblance of butter, or, when so made, calculated or intended to be sold as butter or for butter."

The fourteenth and fifteenth sections of the bill, in my opinion, are in danger of being construed as an interference with the police powers of the States. Not being entirely satisfied of the unconstitutionality of these provisions, and regarding them as not being so connected and interwoven with the other sections as, if found invalid, to vitiate the entire measure, I have determined to commend them to the attention of the House with a view to an immediate amendment of the bill if it should be deemed necessary and if it is practicable at this late day in the session of Congress.

The fact, too, that the bill does not take effect by its terms until ninety days have elapsed after its approval, thus leaving it but one month in operation before the next session of Congress, when, if time does not now permit, the safety and efficiency of the measure may be abundantly protected by remedial legislative action, and the desire to see realized the beneficial results which it is expected will immediately follow the inauguration of this legislation, have had their influence in determining my official action.

The considerations which have been referred to will, I hope, justify this communication and the suggestions which it contains.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 4, 1886.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 3d instant (the Senate concurring), I return herewith Senate bill No. 2056, entitled "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service."

GROVER CLEVELAND.

VETO MESSAGES.

EXECUTIVE MANSION, *March 10, 1886.*

To the Senate of the United States:

I have carefully considered Senate bill No. 193, entitled "An act for the relief of John Hollins McBlair," and hereby return the same without approval to the Senate, where it originated, with my objections to the same.

The object of this bill is to suspend the provisions of law regulating appointments in the Army by promotion so far as they affect John Hollins McBlair, and to authorize the President to nominate and, by and with the advice and consent of the Senate, appoint said McBlair a first lieutenant in the Army and to place him upon the retired list as of the date of April 8, 1864, with the pay of his rank from April 30, 1884.

The beneficiary named in this bill was appointed a first lieutenant in the Army, from civil life, in June, 1861, with rank from May 14, 1861.

It appears from his own testimony, afterwards taken before a retiring board, that at the time he was commissioned he was but 17 years of age.

In October, 1861, he was in the field for five days with his regiment, within which time he participated in no battle, skirmish, or engagement of any kind.

After five days spent in marching and camping he was taken sick, and after remaining in camp six or seven weeks, his illness still continuing, he was granted sick leave and came to Washington.

In June, 1862, he was put on duty in the Commissary Department at Washington and remained there until August, 1863, when he was summoned before a retiring board convened for the purpose of retiring disabled officers.

From testimony before this board it appears that the illness which caused him to leave his regiment was one not uncommon in the Army, and yielded to treatment, so that in April or May, 1862, he was completely cured.

About this time, however, he was attacked with convulsions, which were pronounced by the physicians examined before the board to be a form of epilepsy, and for this cause he was found to be incapacitated for active service.

The medical testimony, while it suggested various causes for this epileptic condition, negatives entirely any claim that these attacks were at all related to the illness which obliged this officer to abandon service with his regiment. He testified himself that he had been told he had one or two convulsions in childhood, but there is no direct testimony that he was subject to epileptic attacks before he entered the Army.

The retiring board determined upon the proof that this incapacity did not result from any incident of military service, and therefore Lieutenant McBlair was in October, 1863, retired wholly from the service with one year's pay and allowances, which is the usual action in such cases, and which was approved by the President.

But in April, 1864, the President, in a review of the case, made an order that instead of this officer being wholly retired he should be placed upon the retired list as of the date when the action of the retiring board was originally approved.

For about twenty years, and up to April 30, 1884, he remained upon the retired list and received the pay to which this position entitled him.

Quite recently, in consequence of a claim of additional pay which he made upon the Government, his status was examined by the Court of Claims, which decided that the action of the President in April, 1864, by which he sought to change the original disposition of the case upon the findings of the retiring board, was nugatory, and that ever since October, 1863, this officer had not been connected with the Army and had been receiving from the Government money to which he was not entitled.

If the bill herewith returned becomes a law, it makes valid all payments made, and if its purpose is carried out causes such payments to be resumed.

The finding of the retiring board seems so satisfactory and the merits of this case so slight in the light of the large sum already paid to the applicant, while the claims of thousands of wounded and disabled soldiers wait for justice at the hands of the Government, that I am constrained to interpose an objection to a measure which proposes to suspend general and wholesome laws for the purpose of granting what appears to me to be an undeserved gratuity.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 11, 1886.*

To the Senate of the United States:

I return herewith without approval, and with a statement of my objections thereto, Senate bill No. 150, entitled "An act to quiet title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes."

This proposed legislation grows out of a grant of land made to the Territory of Iowa in the year 1846 to aid in the improvement of the navigation of the Des Moines River.

The language of this grant was such that it gave rise to conflicting decisions on the part of the Government Departments as to its extent, and it was not until 1860 that this question was authoritatively and finally settled by the Supreme Court of the United States. Its decision diminished the extent of the grant to a quantity much less than had been insisted on by certain interested parties and rendered invalid the titles of parties who held, under the Territory or State of Iowa, lands beyond the limit of the grant fixed by the decision of the court.

For the purpose of validating such titles and to settle all disputes so far as the General Government was concerned, the Congress, in the year 1861, by a joint resolution, transferred to the State of Iowa all the title then retained by the United States to the lands within the larger limits which had been claimed, and then held by *bona fide* purchasers from the State; and in 1862 an act of Congress was passed for the same general purpose.

Without detailing the exact language of this resolution and statute, it certainly seems to be such a transfer and relinquishment of all interests in the land mentioned on the part of the United States as to relieve the Government from any further concern therein.

The questions unfortunately growing out of this grant and the legislation relating thereto have been passed upon by the United States Supreme Court in numerous cases, and as late as 1883 that court, referring to its many previous decisions, adjudged that "the act of 1862 (12 U. S. Statutes at Large, ch. 161, p. 543) transferred the title from the United States and vested it in the State of Iowa for the use of its grantees under the river grant."

Bills similar to this have been before Congress for a number of years and have failed of passage; and at least on one occasion the Committee on the Judiciary of the Senate reported adversely upon a measure covering the same ground.

I have carefully examined the legislation upon the subject of this grant, and studied the decisions of the court upon the numerous and complicated questions which have arisen from such legislation, and the positions of the parties claiming an interest in the land covered by said grant, and I can not but think that every possible question that can be raised, or at least that ought to be raised, in any suit relating to these lands has been determined by the highest judicial authority in the land; and if any substantial point remains yet unsettled, I believe there is no difficulty in presenting it to the proper tribunal.

This bill declares that certain lands which nearly twenty-four years ago the United States entirely relinquished are still public lands, and directs the Attorney-General to begin suits to assert and protect the title of the United States in such lands.

If it be true that these are public lands, the declaration that they are so by enactment is entirely unnecessary; and if they are wrongfully withheld from the Government, the duty and authority of the Attorney-General are not aided by the proposed legislation. If they are not public lands because the United States have conveyed them to others, the bill is subject to grave objections as an attempt to destroy vested rights and disturb interests which have long since become fixed.

If a law of Congress could, in the manner contemplated by the bill, change, under the Constitution, the existing rights of any of the parties claiming interests in these lands, it hardly seems that any new questions could be presented to the courts which would do more than raise false hopes and renew useless and bitter strife and litigation.

It seems to me that all controversies which can hereafter arise between those claiming these lands have been fairly remitted to the State of Iowa, and that there they can be properly and safely left; and the Government, through its Attorney-General, should not be called upon to litigate the rights of private parties.

It is not pleasant to contemplate loss threatened to any party acting in good faith, caused by uncertainty in the language of laws or their conflicting interpretation; and if there are persons occupying these lands who labor under such disabilities as prevent them from appealing to the courts for a redress of their wrongs, a plain statute, directed simply to a remedy for such disabilities, would not be objectionable.

Should there be meritorious cases of hardship and loss, caused by an invitation on the part of the Government to settle upon lands apparently public, but to which no right or lawful possession can be secured, it would be better, rather than to attempt a disturbance of titles already settled, to ascertain such losses and do equity by compensating the proper parties through an appropriation for that purpose.

A law to accomplish this very object was passed by Congress in the year 1873.

Valuable proof is thus furnished, by the only law ever passed upon the subject, of the manner in which it was thought proper by the Congress at that time to meet the difficulties suggested by the bill now under consideration.

Notwithstanding the fact that there may be parties in the occupancy of these lands who suffer hardship by the application of strict legal principles to their claims, safety lies in noninterference by Congress with matters which should be left to judicial cognizance; and I am unwilling to concur in legislation which, if not an encroachment upon judicial power, trenches so closely thereon as to be of doubtful expediency, and which at the same time increases the elements of litigation that have heretofore existed and endangers vested rights.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 26, 1886.*

To the Senate of the United States:

I herewith return Senate bill No. 349, entitled "An act for the promotion of anatomical science and to prevent the desecration of graves," without my approval.

The purpose of this bill is to permit the delivery of certain dead bodies to the medical colleges located in the District of Columbia for dissection.

Such disposition of the bodies of unknown and pauper dead is only excused by the necessity of acquiring by this means proper and useful anatomical knowledge, and the laws by which it is permitted should, in deference to a decent and universal sentiment, carefully guard against abuse and needless offense.

The measure under consideration does not with sufficient care specify and limit the officers and the parties who it is proposed to invest with discretion in the disposition of dead bodies remaining in the institutions and places mentioned in the bill. The second section indicates an intention to prevent the use of said bodies for any other purpose than the promotion of anatomical and surgical knowledge within the District of Columbia, and to secure after such use the decent burial of the remains. It declares that a bond shall be given providing for the performance of these conditions. But instead of exacting the bond from the medical colleges, to which alone, by the terms of the first section, the bodies are to be delivered, such bond is required of "every physician or surgeon before receiving such dead body."

The bill also provides that a relative by blood or marriage, or a friend, may, within forty-eight hours after death, demand that any body be buried, upon satisfying "the authorities" of the relationship claimed to the deceased.

The "authorities" to be thus satisfied should be clearly defined, and the determination of a question so important should be left with those only who will perform this duty with proper care and consideration.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 30, 1886.

To the Senate of the United States:

I herewith return without my approval Senate bill No. 141, entitled "An act to extend the provisions of the act of June 10, 1880, entitled 'An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes,' to the port of Omaha, in the State of Nebraska."

The statute, which was passed June 10, 1880, referred to in the title of this bill permitted certain merchandise imported at specified ports, but which was consigned to certain other ports which were mentioned by name in the seventh section of said act, to be shipped immediately after entry at the port of arrival to such destination.

The seventh section of said act contained the names of more than seventy ports or places to which imported merchandise might be thus immediately shipped. One of the places thus named is "Omaha, in Nebraska."

But it was declared in a proviso which was made a part of this section that the privilege of immediate transportation contemplated by the act should "not extend to any place at which there are not the necessary officers for the appraisement of merchandise and the collection of duties."

Because there were no such officers at Omaha the privilege mentioned was withheld from that place by the Treasury Department.

The bill submitted to me for approval provides that these privileges conferred by the act of June 10, 1880, be "extended to the port of Omaha, in the State of Nebraska, as provided for as to the ports mentioned in section 7 of said act."

I can not see that anything is gained by this legislation.

If the circumstances should warrant such a course, the authority which withholds such privileges from any of the places mentioned in the law of 1880 can confer the same without the aid of a new statute. This position is sustained by an opinion of the Attorney-General, dated in February, 1885.

If the legislation now proposed should become operative, the privileges extended to the city of Omaha would still be subject to the proviso attached to the seventh section of the law of 1880, and such newly granted privileges would be liable to immediate withdrawal by the Secretary of the Treasury.

Thus, if the design of this bill is to restore to the city named the privileges permitted by the law of 1880, it seems to be entirely unnecessary, since the power of such restoration is now fully vested in the Treasury Department. If the object sought is to bestow such privileges entirely free from the operation of the proviso above recited, the language of the bill does not accomplish that result.

I understand that the Government has not now at Omaha "the necessary officers for the appraisement of merchandise and the collection of duties," which by such proviso are necessary in order to secure to any place the advantages of immediate transportation. In the absence of such officers the proposed legislation would be nugatory and inoperative.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 8, 1886.*

To the House of Representatives:

I herewith return without approval a bill numbered 3019, entitled "An act to increase the pension of Abigail Smith," which bill originated in the House of Representatives.

This proposed legislation does injustice to a very worthy pensioner who was on the pension roll at the time of the passage of the law which took effect on the 19th day of March last, and by virtue of which all pensions of her class were increased from $8 to $12 per month. Under this law she became entitled to her increased pension from the date of its passage. The bill now returned allows her the same amount, but if it became a law I suppose it would supersede her claim under the previous statute and postpone the receipt by her of the increase to the date of the passage of the new law.

She would thus lose for nearly two months the increase of pension already secured to her.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 8, 1886.*

To the House of Representatives:

I return without my approval House bill No. 1471, entitled "An act increasing the pension of Andrew J. Hill."

This bill doubles the pension which the person named therein has been receiving for a number of years. It appears from the report of the committee to which the bill was referred that a claim made by him for increased pension has been lately rejected by the Pension Bureau "on the ground that the claimant is now receiving a pension commensurate with the degree of disability found to exist."

The policy of frequently reversing by special enactment the decisions of the Bureau invested by law with the examination of pension claims, fully equipped for such examination, and which ought not to be suspected of any lack of liberality to our veteran soldiers, is exceedingly questionable. It may well be doubted if a committee of Congress has a better opportunity than such an agency to judge of the merits of these claims. If, however, there is any lack of power in the Pension Bureau for a full investigation, it should be supplied; if the system adopted is inadequate to do full justice to claimants, it should be corrected, and if there is a want of sympathy and consideration for the defenders of our Government the Bureau should be reorganized.

The disposition to concede the most generous treatment to the disabled, aged, and needy among our veterans ought not to be restrained; and it must be admitted that in some cases justice and equity can not be done nor the charitable tendencies of the Government in favor of worthy objects of its care indulged under fixed rules. These conditions sometimes justify a resort to special legislation, but I am convinced that the interposition by special enactment in the granting of pensions should be rare and exceptional. In the nature of things if this is lightly done and upon slight occasion, an invitation is offered for the presentation of claims to Congress which upon their merits could not survive the test of an examination by the Pension Bureau, and whose only hope of success depends upon sympathy, often misdirected, instead of right and justice. The instrumentality organized by law for the determination of pension claims is thus often overruled and discredited, and there is danger that in the end popular prejudice will be created against those who are worthily entitled to the bounty of the Government.

There has lately been presented to me, on the same day, for approval, nearly 240 special bills granting and increasing pensions and restoring to the pension list the names of parties which for cause have been dropped. To aid Executive duty they were referred to the Pension Bureau for examination and report. After a delay absolutely necessary they have been returned to me within a few hours of the limit constitutionally permitted for Executive action. Two hundred and thirty-two of these bills are thus classified:

Eighty-one cover cases in which favorable action by the Pension Bureau was denied by reason of the insufficiency of the testimony filed to prove the facts alleged.

These bills I have approved on the assumption that the claims were meritorious and that by the passage of the bills the Government has waived full proof of the facts.

Twenty-six of the bills cover claims rejected by the Pension Bureau because the evidence produced tended to prove that the alleged disability existed before the claimant's enlistment; 21 cover claims which have been denied by such Bureau because the evidence tended to show that the disability, though contracted in the service, was not incurred in the line of duty; 33 cover claims which have been denied because the evidence tended to establish that the disability originated after the soldier's discharge from the Army; 47 cover claims which have been denied because the general pension laws contain no provisions under which they could be allowed, and 24 of the claims have never been presented to the Pension Bureau.

I estimate the expenditure involved in these bills at more than $35,000 annually.

Though my conception of public duty leads me to the conclusion, upon the slight examination which I have been able to give such of these bills as are not comprised in the first class above mentioned, that many of them should be disapproved, I am utterly unable to submit within the time allowed me for that purpose my objections to the same.

They will therefore become operative without my approval.

A sufficient reason for the return of the particular bill now under consideration is found in the fact that it provides that the name of Andrew J. Hill be placed upon the pension roll, while the records of the Pension Bureau, as well as a medical certificate made a part of the committee's report, disclose that the correct name of the intended beneficiary is Alfred J. Hill.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 17, 1886.*

To the Senate of the United States:

I return without approval Senate bill No. 1397, entitled "An act to establish a port of delivery at Springfield, in the State of Massachusetts."

It appears that the best reasons urged for the passage of this bill are that Springfield has a population of about 40,000, that the imports to the section of country where the city is located for the last year amounted in value to nearly $3,000,000, and that the importers at this point labored under a disadvantage in being obliged to go to New York and Boston to clear their goods, which are frequently greatly delayed.

The Government is now subjected to great loss of revenue through the intricacies of the present system relating to the collection of customs dues, and through the frauds and evasions which that system permits and invites. It is also the cause of much of the delay and vexation to which the honest importer is subjected.

I am of the opinion that the reforms of present methods which have been lately earnestly pressed upon Congress should be inaugurated, instead of increasing the number of ports where present evils may be further extended.

The bill now under consideration provides that a surveyor of customs shall be appointed to reside at said port, who shall receive a salary not to exceed $1,000 per annum.

It is quite obvious that an experienced force of employees at the ports where goods for Springfield are entered would be much better qualified to adjust the duties upon the same than the person thus proposed to be added to the vast army of Federal officials.

There are many cities in the different States having larger populations than Springfield, and fully as much entitled, upon every ground presented, to the advantages sought by this bill; and yet it is clear that the following of the precedent which the proposed legislation would establish could not fail to produce confusion and uncertainty in the adjustment of customs dues, leading to irritating discriminations and probable loss to the Government.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 24, 1886.*

To the Senate of the United States:

I herewith return without approval Senate bill No. 2186, entitled "An act granting a pension to Louis Melcher."

This claimant enlisted on the 25th day of May, 1861, and was discharged for disability on the 16th day of August, 1861, having been in the service less than three months.

The certificate of the surgeon of his regiment, made at the time of his discharge, stated his disability to be "lameness, caused by previous repeated and extensive ulcerations of his legs, extending deeply among the muscles and impairing their powers and action by cicatrices, all existing before enlistment and not mentioned to the mustering officers at the time."

Upon this certificate, given at the time of the claimant's discharge and while he was actually under the surgeon's observation, an application for a pension was rejected by the Pension Bureau.

In the absence of anything impeaching the ability and integrity of the surgeon of the regiment, his certificate should, in my opinion, be regarded as a true statement of the condition of the claimant at the time of his discharge, though the committee's report suggests that the surgeon's skill may have been at fault when he declared that the ulcers existed before enlistment. The cicatrices showing beyond a doubt the previous existence of this difficulty would be plainly apparent upon an examination by a surgeon, and their origin could hardly be mistaken. The term of the claimant's service was not sufficiently long to have developed and healed, even imperfectly, in a location previously healthy, ulcers of the kind mentioned in the claimant's application.

My approval of this bill is therefore withheld upon the ground that I find nothing in my examination of the facts connected with the case which impeaches the value of the surgeon's certificate upon which the adverse action of the Pension Bureau was predicated.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 24, 1886.*

To the Senate of the United States:

A bill which originated in the Senate, entitled "An act granting a pension to Edward Ayers," and numbered 363, is herewith returned without approval.

The person named in this bill enlisted October 3, 1861, in an Indiana regiment and was mustered out of the service December 13, 1865. He represents that he was injured in the hip at the battle of Days Gap, April 30, 1863, and for this a pension is provided for him by the bill under consideration. His application for pension has been rejected by the Pension Bureau on the ground that it was proved on a special examination of the case that the claimant was injured by a fall when a boy, and that the injury complained of existed prior to his enlistment.

There is not a particle of proof or a fact stated either in the committee's report or the records in the Pension Bureau, so far as they are brought to my notice, tending to show that the claimant was in hospital or under medical care a single day during the whole term of his enlistment.

The report of the committee contains the following statement:

> The record evidence proves that he was in this engagement, but there is no proof from this source that he was wounded. By numerous comrades who were present it is proven that he was hurt by the explosion of a shell as claimed. It is also shown that he has been disabled ever since; and the examining surgeon specifically describes the wound, and twice verifies that he is permanently disabled. From the fact that a man was exceedingly liable to injury under the circumstances in which he was placed, and from the evidence of eyewitnesses, the committee are of opinion that he was wounded as alleged.

A wound from a shell causing the person injured to be "disabled ever since" usually results in hospital or medical treatment. Not only is there no such claim made in this case, but, on the contrary, it appears that the claimant served in his regiment two years and nearly eight months after the alleged injury, and until he was mustered out.

It is represented to me by a report from the Pension Bureau that after his alleged wound, and in May or June, 1863, the claimant deserted, and in July of that year was arrested in the State of Indiana and returned to duty without trial. If this report is correct, the party now seeking a pension at the hands of the Government for disability incurred in the service seems to have been capable of considerable physical exertion, though not very creditable, within a few weeks after he claims to have received the injury upon which his application is based.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 24, 1886.*

To the Senate of the United States:

I return without approval Senate bill No. 1630, entitled "An act granting a pension to James C. Chandler."

It appears from the report of the committee to whom this bill was referred and from an examination of the official records that the proposed beneficiary first enlisted on the 27th day of August, 1861, and about nine months thereafter, on the 1st day of June, 1862, was discharged on account of disability arising from chronic bronchitis.

Notwithstanding the chronic character of his alleged disability, he enlisted again on the 3d day of January, 1864, seventeen months after such discharge.

No statement is presented of the bounty received by him upon either enlistment.

He was finally mustered out on the 19th day of September, 1865.

He first applied for a pension under the general law in May, 1869, alleging that in April, 1862, he was run over by a wagon and injured in his ankle. This accident occurred during his first enlistment; but instead of the injury having been then regarded a disability, he was discharged from such enlistment less than two months thereafter on account of chronic bronchitis.

It appears from the committee's report that his application was rejected and that another was afterwards made, alleging that the claimant had been afflicted with typhoid fever contracted in May, 1862, resulting in "rheumatism and disease of the back in region of kidneys."

This application was also rejected, on the ground that any disability that might have arisen from the cause alleged "had not existed in a pensionable degree since the date of filing the claim therefor," which was February 10, 1885.

There still remained an appeal to Congress, and probably there were not wanting those who found their interests in advising such an appeal and who had at hand Congressional precedents which promised a favorable result. That the parties interested did not miscalculate the chances of success is demonstrated by the bill now before me, which, in direct opposition to the action of the Pension Bureau, grants a pension to a man who, though discharged from enlistment for a certain alleged disability, made two applications for a pension based upon two distinct causes, both claimed to exist within two months prior to such discharge, and both different from the one upon which he accepted the same, and notwithstanding the fact that the proposed beneficiary, after all these disabilities had occurred, passed an examination as to his physical fitness for reenlistment, actually did reenlist, and served till finally mustered out at the close of the war.

If any money is to be given this man from the public Treasury, it should not be done under the guise of a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 24, 1886.*

To the Senate of the United States:

I hereby return without approval Senate bill No. 857, entitled "An act granting a pension to Dudley B. Branch."

This claim is based upon the allegation, as appears by the committee's report, that the person named in the bill has a hernia, and that on the 9th day of June, 1862, while in the military service and in the line of duty, "in getting over a fence he fell heavily, striking a stone or hard substance, and received the hernia in his left side."

In December, 1875, thirteen and a half years thereafter, he filed an application for a pension, which was rejected by the Pension Bureau on the ground that there was no record of the alleged hernia, and the claimant was unable to furnish satisfactory evidence of its origin in the service.

The fact is stated in the committee's report that late in the year 1863 this soldier was transferred to the Invalid Corps, and the records show that he was thus transferred for a disability entirely different from that upon which he now bases his claim. He was mustered out in September, 1864, at the end of his term of service.

I am convinced that the rejection of this claim by the Pension Bureau was correct, and think its action should not be reversed.

I suppose an injury of the description claimed, if caused by violence directly applied, is quite palpable, its effect usually immediate, and its existence easily proved. The long time which elapsed between the injury and the claimant's application for a pension may be fairly considered as bearing upon the merits of such application, while the fact that the claimant was transferred to the Invalid Corps more than a year after he alleges the injury occurred, for an entirely different disability, can not be overlooked. In the committee's report the statement is found that the beneficiary named in the bill was in two different hospitals during the year 1863, and yet it is not claimed that the history of his hospital treatment furnishes any proof of the injury upon which his claim is now based.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 25, 1886.*

To the Senate of the United States:

I return without approval Senate bill No. 1998, entitled "An act for the relief of John D. Ham," which grants a pension to the party named.

The claimant alleges that he enrolled in the Army in January, 1862, and was "sworn in at his own home;" that the next day he started on horseback to go to the regiment he was to join, and that on the way his horse fell upon his left ankle, whereby he sustained an injury which entitles him to a pension.

His name is not borne upon any of the rolls of the regiment he alleges he was on his way to join.

He filed his application for pension in the Pension Bureau October 17, 1879 (seventeen years after his alleged injury), which was rejected apparently on the ground that he was not in the military service when the disability claimed was incurred.

He was drafted in 1863 and served until he was mustered out in 1865.

It is entirely clear that this claimant was not in the military service at the time he claims to have been injured; and his conduct in remaining at home until he was drafted, nearly two years afterwards, furnishes proof that he did not regard himself as in the meantime owing any military duty. These considerations, and the further facts that upon being drafted he was accepted as physically qualified for service, that he actually thereafter served a year and eight months, and that he waited seventeen years before claiming pension for his injury, in my mind present a case upon which the claimant is entitled to no relief even if charity instead of just liberality is invoked.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 25, 1886.*

To the Senate of the United States:

I herewith return without approval Senate bill No. 1290, entitled "An act granting a pension to David W. Hamilton."

A claim for pension filed by him in November, 1879, was rejected by the Pension Bureau on the ground that his alleged disability existed prior to his enlistment.

An examination of the records in the Adjutant-General's Office and a statement from the Pension Bureau derived from the claimant's application there for pension, with a reference to the report of the committee to whom this bill was referred, disclose the following facts:

The claimant was mustered in the service as first lieutenant in September, 1861, and as captain June 12, 1862. He is reported as present with his company until the 30th of that month. For the six months immediately following the latter date he is reported as "absent sick," and for the ten months next succeeding, and until October 27, 1863, as "absent on detached service." On the day last mentioned he tendered his resignation at Camp Morton, in the State of Indiana, to enable him to accept an appointment as captain in the Invalid Corps. He was thereupon so appointed upon account of "chronic enlargement of the spermatic cord of several years' standing, consequent upon hydrocele." He remained in the Invalid Corps until July 12, 1864, when, upon the tender of his resignation, he was discharged.

Less than four months afterwards, and on the 6th day of November, 1864, he was mustered in the service as a captain in another regiment of volunteers, and on the 17th day of November, 1865, again tendered his resignation, and was finally discharged.

Upon his application for pension under the general law, fourteen years thereafter, he admitted that he suffered from hydrocele as early as 1856, but claimed that an operation then performed for the same had given him permanent relief.

It will be seen that the claimant's term of service was liberally interspersed with sick leave, detached service, resignations, and membership in the Invalid Corps. He admits having the trouble which would naturally result in his alleged disability long before he entered the service. The surgeon upon whose certificate he was appointed to the Invalid Corps must have stated to him the character of his difficulty and that it was chronic. No application for pension was made until fourteen years after his discharge and just prior to the expiration of the time within which large arrearages might have been claimed. There is no hint of any medical testimony at all contradicting the certificate of the army surgeon made in 1863, but it is stated in the report of the committee that he can not procure medical testimony as to his soundness before entering the service because his family physician is dead. If he had filed his application earlier, it would have appeared in better faith, and it may be that he could have secured the evidence of his family physician if it was of the character he desired.

After the Pension Bureau has been in operation for a score of years since the late civil war, equipped with thousands of employees charged with no other duty except the ascertainment and adjustment of the claims of our discharged soldiers and their surviving relatives, it seems to me that a stronger case than this should be presented to justify the passage of a special act, twenty-three years after an alleged disability, granting a pension which has been refused by the Bureau especially organized for the purpose of allowing the same under just and liberal laws.

I am by no means insensible to that influence which leads the judgment toward the allowance of every claim alleged to be founded upon patriotic service in the nation's cause; and yet I neither believe it to be a duty nor a kindness to the worthy citizens for whose benefit our scheme of pensions was provided to permit the diversion of the nation's bounty to objects not within its scope and purpose.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 1850, entitled "An act granting a pension to Mrs. Annie C. Owen."

The husband of the claimant was mustered into the service as second lieutenant December 14, 1861, and discharged October 16, 1862. It appears that he died in 1876 from neuralgia of the heart. In 1883 the present claimant filed her application for pension, alleging that her husband received two shell wounds, one in the calf of his left leg and one in his left side, on the 1st day of July, 1862, and claiming that they were in some way connected with the cause of his death.

On the records of his command there is no mention made of either wound, but it does appear that on the 8th day of July, seven days after the date of the alleged wounds, he was granted a leave of absence for thirty days on account, as stated in a medical certificate, of "remittent fever and diarrhea." A medical certificate dated August 5, 1862, while absent on leave, represents him to be at that time suffering from "chronic bronchitis and acute dysentery."

The application made for pension by the widow was rejected by the Pension Bureau February 1, 1886.

There is nothing before me showing that the husband of the claimant ever filed an application for pension, though he lived nearly fourteen years after his discharge; and his widow's claim was not made until twenty-one years after the alleged wounds and seven years after her husband's death.

If the information furnished concerning this soldier's service is correct, this claim for pension must be based upon a mistake. It is hardly possible that wounds such as are alleged should be received in battle by a second lieutenant and no record made of them; that he should seven days thereafter receive a leave of absence for other sickness, with no mention of these wounds, and that a medical certificate should be made (probably with a view of prolonging his leave) stating still other ailments, but silent as to wounds. The further facts that he made no claim for pension and that the claim of his widow was long delayed are worthy of consideration. And if the wounds were received as described there is certainly no necessary connection between them and death fourteen years afterwards from neuralgia of the heart.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886.*

To the House of Representatives:

I return without approval a bill originating in the House of Representatives, numbered 2145, and entitled "An act for the relief of Rebecca Eldridge."

This bill provides for the payment of a pension to the claimant as the widow of Wilber H. Eldridge, who was mustered into the service on the 24th day of July, 1862, and discharged June 21, 1865. He was pensioned at the rate of $2 per month for a slight wound in the calf of the left leg, received on the 25th day of March, 1865. There is no pretense that this wound was at all serious, and a surgeon who examined it in 1880 reported that in his opinion the wounded man "was not incapacitated from obtaining his subsistence by manual labor;" that the ball passed "rather superficially through the muscles," and that the party examined said there was no lameness "unless after long standing or walking a good deal."

On the 28th of January, 1881, while working about a building, he fell backward from a ladder and fractured his skull, from which he died the same day.

Without a particle of proof and with no fact established which connects the fatal accident in the remotest degree with the wound referred to, it is proposed to grant a pension to the widow of $12 per month.

It is not a pleasant thing to interfere in such a case; but we are dealing with pensions, and not with gratuities.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 1253, entitled "An act granting a pension to J. D. Haworth."

It is proposed by this bill to grant a pension to the claimant for the alleged loss of sight in one eye and the impairment of the vision of the other.

From the information furnished me I am convinced that the difficulty alleged by this applicant had its origin in causes existing prior to his enlistment, and that his present condition of disability is not the result of his service in the Army.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886.*

To the House of Representatives:

I hereby return without approval a bill which originated in the House of Representatives, numbered 1582, and entitled "An act for the relief of Eleanor C. Bangham."

The claimant in this case is the widow of John S. Bangham, who was mustered into the service of the United States as a private on the 26th day of March, 1864, and was discharged by general order June 23, 1865.

It appears that during his fifteen months of service he was sick a considerable part of the time, and the records in two of the hospitals to which he was admitted show that his sickness was epilepsy. There are no records showing the character of his illness in other hospitals.

His widow, the present claimant, filed an application for pension March 12, 1878, alleging that her husband committed suicide September 10, 1873, from the effects of chronic diarrhea and general debility contracted in the service. Upon the evidence then produced her claim was allowed at the rate of $8 a month. She remained upon the rolls until July, 1885, when a special examination of the case was made, upon which it was developed and admitted by the pensioner that the deceased soldier had suffered from epilepsy from early childhood, and that during a despondent mood following an epileptic fit he committed suicide.

Upon these facts it was determined by the Pension Bureau that the pension should not have been granted, and it was withdrawn. It was so satisfactorily proven that the disease which indirectly caused the death of the claimant's husband was not contracted in the service that, in my opinion, the conclusion arrived at on such examination should stand.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1886*.

To the House of Representatives:

I hereby return without approval bill No. 1406, which originated in the House of Representatives and is entitled "An act granting a pension to Simmons W. Harden."

The claimant mentioned in this bill enlisted as a private December 30, 1863, and was discharged May 17, 1865.

He filed an application for pension in 1866, in which he alleged that he was injured in the left side by a fall from a wagon while in the service.

In 1880 he filed another application, in which he claimed that he was afflicted with an enlargement of the lungs and heart from overexertion at a review. His record in the Army makes no mention of either of these troubles, but does show that he had at some time during his service dyspepsia and intermittent fever.

The fact that fourteen years elapsed after he claimed to have been injured by a fall from a wagon before he discovered that enlargement of the lungs and heart was his real difficulty is calculated to at least raise a doubt as to the validity of his claim.

The evidence as to his condition at the time of enlistment, as well as since, seems quite contradictory and unsatisfactory. The committee to which the bill was referred report that "the only question in the case is as to his condition at time of enlistment, and the evidence is so flatly contradictory on that point that it is impossible to decide that question."

Notwithstanding this declaration, it is proposed to allow him a pension of $16 a month, though he has survived all his ailments long enough to reach the age of 72 years.

I think upon the case presented the action of the Pension Bureau overruling his claim should not be reversed.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 1, 1886*.

To the Senate:

I return herewith Senate bill No. 1441, entitled "An act granting a pension to M. Romahn."

The beneficiary named in this bill enlisted September 13, 1862, and was discharged May 24, 1865.

He filed his claim in the Pension Bureau December 5, 1882, alleging that in the winter of 1862, from being put on duty—standing guard excessively—he became afflicted with varicose veins. His army record shows no disability of any kind, though he served more than two years after the date at which he alleges his injury was incurred. His application was rejected on the ground that no record of his disability appeared and that the evidence of the same filed upon such application was insufficient.

The claim now made to Congress for relief is the same as that made to the Pension Bureau, with the allegation added that in May, 1865, his breast and shoulder were injured by a railroad accident while he was on detail duty.

If the latter-described injury really existed, it is exceeding strange that it found no place in his claim before the Pension Bureau, while the account given of the cause of his alleged varicose veins must surprise those who are at all familiar with the character of that difficulty and the routine of army service. His continued performance of military duty after he incurred this infirmity, the fact that he made no claim for pension on that account until twenty years had passed, and the unsatisfactory evidence now produced to support his allegation tend to induce the suspicion that the decision of the Pension Bureau was entirely just and that this bill is not based upon substantial merits.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 2, 1886.*

To the Senate:

Senate bill No. 789, entitled "An act granting a pension to John S. Williams," is herewith returned without approval.

This claimant enlisted in 1861. He alleges that his shoulder was dislocated in 1862 while ferrying troops across a river. The records of the War Department fail to furnish any information as to the alleged injury. He served afterwards until 1865 and was discharged. His claim for pension was rejected by the Pension Bureau in 1882, twenty years after the time he fixes as the date of his injury; and after such long delay he states as an excuse for the unsatisfactory nature of his proof that the doctors, surgeons, and officers who knew him are dead.

Considering that the injury complained of is merely a dislocation of the shoulder, and in view of the other facts developed in the case, I think the Pension Bureau arrived at a correct conclusion when this claim was rejected.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 2, 1886.*

To the Senate:

I return without approval Senate bill No. 327, entitled "An act granting a pension to James E. O'Shea."

From the report of the committee to whom this bill was referred I learn that the claimant enlisted in April, 1861, and was discharged in October, 1864.

He filed a claim in the Pension Bureau alleging that he received a saber wound in the head March 7, 1862, and a gunshot wound in the left leg in the autumn of the same year.

It appears upon examination of his military record that there is no mention of either disability, and that he served two years after the time he claims to have received these injuries. So far from being disabled, it is reported as an incident of his army life that in the year 1864 this soldier was found guilty of desertion and sentenced to forfeit all pay and allowances for the time he was absent.

The report of the committee, in apparent explanation of the lack of any official mention of the injuries alleged, declares that "the fact that the records of the War Department are often imperfect works great hardship to men who apply for pensions;" and his conviction of desertion and the lack of proof to sustain his allegations as to his injuries are disposed of as follows in the committee's report:

> The Adjutant-General's report shows that the man was under discipline for some irregularities, but notwithstanding this and the lack of the required proof that he was wounded in the line of duty the committee are of the opinion that, situated as he was, he was very liable to and very probably did receive the wound from which he has suffered and is still suffering.

I am convinced that there exists serious difficulty on the part of the claimant instead of in the record of the War Department; that the kind of irregularity for which he was under discipline is calculated to produce a lack of confidence in his merits as a pensioner, and that the fact of his situation being such as to render him liable to receive a wound is hardly sufficient to establish his right to a soldier's pension, which is only justified by injuries actually received and affirmatively proven.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 2, 1886.*

To the Senate:

I return herewith without approval Senate bill No. 1726, entitled "An act granting a pension to Augustus Field Stevens."

It appears that this claimant enlisted August 21, 1861, and was discharged on the 3d day of October, 1861, after a service of less than two months, upon a medical certificate of disability which represented him as "incapable of performing the duties of a soldier because of general debility, advanced age, unfit for service before entering."

His claim is not based upon any wound or injury, but he alleges that he contracted chronic diarrhea or dysentery while in the service. The committee to whom the bill was referred by the Senate admit that "there is a quantity of contradictory testimony, biased in about equal proportion for and against the claimant."

His claim was rejected by the Pension Bureau in 1882 and again in 1885, after a special examination concerning the facts, on the ground that the claimant had failed to show any pensionable disability contracted while he was in the service.

The medical certificate upon which he was discharged makes no mention of the disorders of which the applicant for pension now complains, but contains other statements which demonstrate that no allowance should be made to him by way of pension, unless such pension is to be openly and confessedly regarded as a mere charity, or unless the medical certificate made at the time of discharge, with the patient under observation, is to be, without any allegation to that effect, impeached.

I am not prepared either to gratuitously set at naught two determinations of the Pension Bureau, one very lately made after a special examination, and especially when the evidence produced before the committee to reverse the Bureau's action is admitted to be "contradictory" and "biased in about equal proportion for and against the claimant."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the Senate:

I return herewith Senate bill No. 226, entitled "An act granting a pension to Margaret D. Marchand," without approval.

The beneficiary named in this bill is the widow of John B. Marchand, who entered the United States Navy in 1828, who was promoted to the rank of commodore in 1866, and who was placed upon the retired list in 1870. He died in August, 1875, of heart disease.

His widow filed an application for pension in 1883, claiming that his fatal disease was caused by exposure and exertion in the service during the War of the Rebellion. The application was rejected because of the inability to furnish evidence to prove that the death had any relation to the naval service of the deceased.

I am unable to see how any other conclusion could have been reached. The information furnished by the report of the committee to whom this bill was referred and derived from other data before me absolutely fails to connect the death of Commodore Marchand with any incident of his naval service.

This officer was undoubtedly brave and efficient, rendering his country valuable service; but it does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such, as to render a gratuity justifiable.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the Senate:

I hereby return without my approval Senate bill No. 183, entitled "An act for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers."

This soldier was enrolled in the Army June 2, 1862, and discharged June 30, 1865. He was sent to the Government hospital September 20, 1863, and thereupon transferred to the Invalid Corps.

He filed his declaration for a pension in November, 1880, alleging that while in the service he contracted malarial fever and chronic diarrhea, and was seized with convulsions, suffering from great general debility.

A pension of $50 a month was granted to him in June, 1881, dating from the time of filing his application, which sum he has been receiving up to the present time.

This bill proposes to remove the limitation fixed by the law of 1879 prescribing the date prior to which an application for pension must be filed in order to entitle the claimant to draw the pension allowed from the time of his discharge from the service.

If this bill should become a law, it would entitle the claimant to about $9,000 of back pension. This is claimed upon the ground that the soldier was so sick from the time of the passage of the act creating the limitation up to the date allowed him to avail himself of the privileges of the act that he could not file his claim.

I think the limitation thus fixed a very wise one, and that it should not, in fairness to other claimants, be relaxed for causes not mentioned in the statute; nor should the door be opened to applications of this kind.

The beneficiary named in this bill had fifteen years after the accruing of his claim, and before it is alleged that he was incapacitated, within which he might have filed his application and entitled himself to the back pension now applied for.

The facts here presented come so far short of furnishing a satisfactory excuse for his delay that, in my judgment, the discrimination asked in his favor should not be granted.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the Senate:

I return without approval Senate bill No. 763, entitled "An act for the erection of a public building at Sioux City, Iowa."

The report of the committee of the House of Representatives to whom this bill was referred states that by the census of 1880 the population of Sioux City was nearly 8,000, and that by other enumerations since made its population would seem to exceed 23,000. It is further stated in the report that for the accommodation of this population the city contains 393 brick and 2,984 frame buildings.

It seems to me that in the consideration of the merits of this bill the necessities of the Government should control the question, and that it should be decided as a business proposition, depending upon the needs of a Government building at the point proposed in order to do the Government work.

This greatly reduces the value of statistics showing population, extent of business, prospective growth, and matters of that kind, which, though exceedingly interesting, do not always demonstrate the necessity of the expenditure of a large sum of money for a public building.

I find upon examination that United States courts are sometimes held at Sioux City, but that they have been thus far held in the county courthouse without serious inconvenience and without any expense to the Government. There are actually no other Federal officers there for whom the Government in any view should provide accommodations except the postmaster. The post-office is now located in a building rented by the Government until the 1st day of January, 1889, at the rate of $2,200 per annum.

By the last report of the Supervising Architect it appears that on October 1, 1885, there were 80 new public buildings in course of construction, and that the amount expended thereon during the preceding year was nearly $2,500,000, while large appropriations are asked to be expended on these buildings during the current year.

In my judgment the number of public buildings should not at this time be increased unless a greater public necessity exists therefor than is apparent in this case.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the Senate:

I return without approval Senate bill No. 206, entitled "An act to provide for the erection of a public building in the city of Zanesville, Ohio."

No Federal courts are held at Zanesville, and there are no Government officers located there who should be provided for at the public expense except the postmaster.

So far as I am informed the patrons of the post-office are fairly well accommodated in a building which is rented by the Government at the rate of $800 per annum; and though the postmaster naturally certifies that he and his fourteen employees require much more spacious surroundings, I have no doubt he and they can be induced to continue to serve the Government in its present quarters.

The public buildings now in process of construction, numbering 80, involving constant supervision, are all the building projects which the Government ought to have on hand at one time, unless a very palpable necessity exists for an increase in the number. The multiplication of these structures involves not only the appropriations made for their completion, but great expense in their care and preservation thereafter.

While a fine Government building is a desirable ornament to any town or city, and while the securing of an appropriation therefor is often considered as an illustration of zeal and activity in the interest of a constituency, I am of the opinion that the expenditure of public money for such a purpose should depend upon the necessity of such a building for public uses.

In the case under consideration I have no doubt the Government can be well accommodated for some time to come in all its business relations with the people of Zanesville by renting quarters, at less expense than the annual cost of maintaining the proposed new building after its completion.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 1990, entitled "An act granting a pension to John Hunter."

The claimant was enrolled July 20, 1864, and was discharged by expiration of his term of service July 13, 1865.

During four months of the twelve while he remained in the service he is reported as "absent sick." His hospital record shows that he was treated for intermittent fever and rheumatism. In 1879, fourteen years after his discharge, he filed his claim for a pension, alleging that in May, 1864, he received a gunshot wound in the right leg while in a skirmish The month of May, 1864, is included in the time during which, by the record, he appears to have been absent sick and undergoing treatment for fever and rheumatism. His claim was rejected in December, 1884, on the ground that there was no record of the alleged wound and the claimant was unable, though aided by the Bureau, to prove that the injury claimed was due to the service.

The evidence recited in the report of the Congressional committee to whom this bill was referred, though it tends to show, if reliable, that when the soldier returned from his service his leg was affected, fails to show a continuous disability from that cause. It is stated that about five years ago, while the claimant was gathering dandelions, in stepping across a ditch his leg broke. The doctor who attended him states that the leg was about four weeks longer in uniting than is usual, but he is not represented as giving an opinion that the fracture had anything to do with his patient's military service.

I find no reference to his condition since his recovery from the fracture of his leg, and there seems to be no allegation of present disability either from army service or the injury sustained while gathering dandelions.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

I return without my approval House bill No. 4002, entitled "An act granting a pension to Carter W. Tiller."

The records of the War Department show that George W. Tiller, the son of the claimant, enlisted in a Kentucky regiment on the 8th day of October, 1861, and that he deserted on the 20th day of September, 1863; that he was captured by the Confederates afterwards, but the time and circumstances are not given. On the 21st day of July, 1864, he was admitted to the Andersonville hospital, and died the same day of scorbutus.

The father filed his claim for a pension in 1877, alleging his dependence upon the deceased soldier. It is probably true that the son while in the Army sent money to the claimant, though he appears to have been employed as a policeman in the city of Louisville ever since his son's death, at a fair salary.

The claim thus made was rejected by the Pension Bureau on the ground that the claimant was not dependent upon his son.

I am entirely satisfied of the correctness of this determination, and if the records presented to me are reliable I think the fact which appears therefrom, that the death of the soldier occurred ten months after desertion and had no apparent relation to any service in the Union Army, is conclusive against the claim now made.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

I return without approval House bill No. 3826, entitled "An act for the relief of John Taylor."

By this bill it is proposed to increase the pension of the beneficiary named to $16 a month. He has been receiving a pension under the general law, dating from his discharge in 1865. His pension has been twice already increased, once by the Pension Bureau and once by a special act passed in 1882. His wound is not such as to cause his disability to become aggravated by time. The increase allowed by this bill, when applied for at the Pension Bureau in 1885, was denied on the ground that "the rate he was receiving was commensurate with the degree of his disability, a board of surgeons having reported that he was receiving a liberal rating."

I can discover no just ground for reversing this determination and making a further discrimination in favor of this pensioner.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

I return without approval House bill No. 5997, entitled "An act granting a pension to Elizabeth Luce."

The claimant named in this bill is the widow of John W. Luce, who entered the Army in August, 1861, and who was discharged in January, 1864, for a disability declared at the time in the surgeon's certificate to arise from "organic stricture of the urethra," which, from his statement, existed at the time of his enlistment.

Notwithstanding the admission which thus appears to have been made by him at the time of his discharge, he soon afterwards made an application for a pension, alleging that his difficulty arose from his being thrown forward on the pommel of his saddle when in the service.

Upon an examination of this claim by a special examiner, it is stated that no one could be found who had any knowledge of such an injury, and the claim was rejected.

In 1883, twenty years after the soldier alleged he was injured in the manner stated, he died, and the cause of his death was declared to be "chronic gastritis, complicated with kidney difficulty."

It is alleged that the examinations made by the Pension Bureau developed the fact that the deceased soldier was a man of quite intemperate habits.

The theory upon which this widow should be pensioned can only be that the death of her husband resulted from a disability or injury contracted or received in the military service. It seems to me that however satisfactorily the injury which he described may be established, and though every suspicion as to his habits be dismissed, there can hardly possibly be any connection between such an injury and the causes to which his death is attributed.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 19, 1886.*

To the House of Representatives:

I return without approval House bill No. 4058, entitled "An act for the relief of Joel D. Monroe."

The claimant mentioned in this bill enlisted in August, 1864, and was discharged with his regiment June 4, 1865.

The record of his short military service exhibits no mention of any injury or disability; but in June, 1880, fifteen years after his discharge, he filed in the Pension Bureau a claim for a pension based upon the allegation that in December, 1864, he was injured by the falling of a tree, which struck him on his head, affecting both of his eyes. He added to this allegation the further complaint that he contracted rheumatism while in the service.

The application for a pension was rejected by the Pension Bureau because there was no record of the disabilities claimed, nor was satisfactory proof furnished that any such disabilities originated in the service.

I am so entirely satisfied with this determination of the Pension Bureau that I am constrained to withhold my approval of this bill.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the House of Representatives:

I return without approval House bill No. 3624, entitled "An act granting a pension to Fred. J. Leese."

This claimant enlisted September 7, 1864, and was discharged June 4, 1865. During his short term of service there does not appear on the records any evidence of disability.

But in November, 1883, eighteen years after his discharge, he filed his application for a pension, alleging that in November, 1864, he contracted chronic diarrhea from exposure and severe work.

His claim has not yet been fully passed upon by the Pension Bureau, which, in my opinion, is sufficient reason why this bill should not become a law. I am also thoroughly convinced, from examination of the case, that the claimant should not be pensioned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the House of Representatives:

I herewith return without approval House bill No. 6897, entitled "An act granting a pension to Henry Hipple, jr."

This claimant entered the Army as a drummer August 6, 1862, and was discharged May 29, 1863.

In 1879, sixteen years after his discharge, he appears to have discovered that during his short term of military service in the inhospitable climate of Port Tobacco, within the State of Maryland, he contracted rheumatism to such an extent as to entitle him to pension, for which he then applied.

It is conceded that he received no medical treatment while in the Army for this complaint, nor does he seem to have been attended by a physician since his discharge.

Without commenting further upon the features of this case which tend to discredit it, I deem myself obliged to disapprove this bill on the ground that there is an almost complete failure to state any facts that should entitle the claimant to a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the House of Representatives:

I hereby return without approval a bill originating in the House of Representatives, entitled "An act granting an increase of pension to John W. Farris," which bill is numbered 6136.

The claimant mentioned in this bill enlisted in the month of October, 1861, and was mustered out of the service in August, 1865.

In 1881, sixteen years after his discharge, he filed an application for a pension, alleging that he was afflicted with chronic diarrhea contracted in the Army, and in 1885 his claim was allowed, and he was granted a pension for that cause.

In September of the same year, and after this pension was granted, he filed an application for an increase of his rate, alleging that in 1884 his eyes became affected in consequence of his previous ailments and the debility consequent thereupon.

The ingenuity developed in the constant and persistent attacks upon the public Treasury by those claiming pensions, and the increase of those already granted, is exhibited in bold relief by this attempt to include sore eyes among the results of diarrhea.

I am entirely satisfied with the opinion of the medical referee, who, after examining this case in October, 1885, reported that "the disease of the eyes can not be admitted to be a result of chronic diarrhea."

On all grounds it seems to me that this claimant should be contented with the pension which has been already allowed him.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 1707, entitled "An act granting a pension to Elijah P. Hensley."

The records of the War Department show that this claimant was mustered into the Third North Carolina Regiment, but on the muster-out roll of his company he is reported to have deserted April 3, 1865, and there is no record of any discharge or disability.

In September, 1866, an order was issued from his department headquarters removing the charge of desertion against him. Thirteen days afterwards, and on the 25th day of September, 1866, he filed an application for pension, which in 1868 was granted. He drew such pension dating from 1865 until 1877, when, upon evidence that the injury for which he was pensioned was not received in the line of duty, his name was dropped from the rolls.

The pensioner appealed from this determination of the Pension Bureau to the Secretary of the Interior, who, as lately as May, 1885, rendered a decision sustaining the action of the Bureau.

I find nothing in the facts presented to me which, in my opinion, justifies the reversal of the judgment of the Bureau and the Secretary of the Interior.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the Senate:

I return without approval Senate bill No. 2223, entitled "An act granting a pension to Elizabeth S. De Krafft."

My objection to this bill is that it is of no possible advantage to the beneficiary therein mentioned. It directs that her name be placed upon the pension roll, subject to the provisions and limitations of the pension laws. The effect of such legislation would be to permit Mrs. De Krafft to draw a pension at the rate of $30 each month from the date of the approval of the bill.

On the 26th day of February, 1886, under the provisions of the general pension law, she was allowed a pension of this exact sum, but the payments were to date from November 10, 1885.

I am so thoroughly tired of disapproving gifts of public money to individuals who in my view have no right or claim to the same, notwithstanding apparent Congressional sanction, that I interpose with a feeling of relief a veto in a case where I find it unnecessary to determine the merits of the application. In speaking of the promiscuous and ill-advised grants of pensions which have lately been presented to me for approval, I have spoken of their "apparent Congressional sanction" in recognition of the fact that a large proportion of these bills have never been submitted to a majority of either branch of Congress, but are the result of nominal sessions held for the express purpose of their consideration and attended by a small minority of the members of the respective Houses of the legislative branch of Government.

Thus in considering these bills I have not felt that I was aided by the deliberate judgment of the Congress; and when I have deemed it my duty to disapprove many of the bills presented, I have hardly regarded my action as a dissent from the conclusions of the people's representatives.

I have not been insensible to the suggestions which should influence every citizen, either in private station or official place, to exhibit not only a just but a generous appreciation of the services of our country's defenders. In reviewing the pension legislation presented to me many bills have been approved upon the theory that every doubt should be resolved in favor of the proposed beneficiary. I have not, however, been able to entirely divest myself of the idea that the public money appropriated for pensions is the soldiers' fund, which should be devoted to the indemnification of those who in the defense of the Union and in the nation's service have worthily suffered, and who in the day of their dependence resulting from such suffering are entitled to the benefactions of their Government. This reflection lends to the bestowal of pensions a kind of sacredness which invites the adoption of such principles and regulations as will exclude perversion as well as insure a liberal and generous application of grateful and benevolent designs. Heedlessness and a disregard of the principle which underlies the granting of pensions is unfair to the wounded, crippled soldier who is honored in the just recognition of his Government. Such a man should never find himself side by side on the pension roll with those who have been tempted to attribute the natural ills to which humanity is heir to service in the Army. Every relaxation of principle in the granting of pensions invites applications without merit and encourages those who for gain urge honest men to become dishonest. Thus is the demoralizing lesson taught the people that as against the public Treasury the most questionable expedients are allowable.

During the present session of Congress 493 special pension bills have been submitted to me, and I am advised that 111 more have received the favorable action of both Houses of Congress and will be presented within a day or two, making over 600 of these bills which have been passed up to this time during the present session, nearly three times the number passed at any entire session since the year 1861. With the Pension Bureau, fully equipped and regulated by the most liberal rules, in active operation, supplemented in its work by constant special legislation, it certainly is not unreasonable to suppose that in all the years that have elapsed since the close of the war a majority of the meritorious claims for pensions have been presented and determined.

I have now more than 130 of these bills before me awaiting Executive action. It will be impossible to bestow upon them the examination they deserve, and many will probably become operative which should be rejected.

In the meantime I venture to suggest the significance of the startling increase in this kind of legislation and the consequences involved in its continuance.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 21, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 1584, entitled "An act for the relief of Cornelia R. Schenck."

It is proposed by this bill to grant a pension to Mrs. Schenck as the widow of Daniel F. Schenck, who entered the military service of the United States in August, 1861, and was mustered out October 21, 1864.

The record of his service contains no mention of any disability. He died in December, 1875, of a disease called gastroenteritis, which, being interpreted, seems to denote "inflammation of the stomach and small intestines." So far as the facts are made to appear, the soldier, neither during the term of his service nor during the eleven years he lived after his discharge, made any claim of any disability.

The claim of his widow was filed in the Pension Bureau in 1885, ten years after her husband's death, and is still undetermined.

The fact that her application is still pending in that Bureau is sufficient reason why this bill should not become a law.

A better reason is based upon the entire lack of any facts shown to exist which entitle the beneficiary named to a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I return herewith without approval Senate bill No. 1192, entitled "An act granting a pension to Alfred Denny."

It appears that the claimant entered the United States military service as captain and assistant quartermaster of volunteers on the 12th day of June, 1863. After remaining in such position for less than a year he resigned to accept a civil position.

The short record of his military service discloses no mention of any accident or disability. But twenty years after his resignation, and on the 12th day of March, 1884, he reappears as an applicant for a pension, and alleges in his declaration filed in the Pension Bureau that in August, 1863, while in the line of duty, he was, by a sudden movement of the horse he was riding, thrown forward upon the horn of his saddle and thereby received a rupture in his right side, which at some time and in a manner wholly unexplained subsequently caused a rupture in his left side also.

The number of instances in which those of our soldiers who rode horses during the war were injured by being thrown forward upon their saddles indicate that those saddles were very dangerous contrivances.

I am satisfied there is not a particle of merit in this claim, and no facts are presented to me which entitle it to charitable consideration.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 1400, entitled "An act granting a pension to William H. Beck."

This claimant enlisted in 1861. He reenlisted as a veteran volunteer January 1, 1864, and was finally mustered out April 20, 1866. In all this time of service his record shows no medical treatment or claim of disability. Indeed, an abstract of his reenlistment January 1, 1864, shows a medical examination and perfect soundness.

Notwithstanding all this, he filed his declaration on the 4th day of April, 1879, nearly thirteen years after his discharge, alleging that in June, 1863, he incurred epilepsy, to which he has been subject since, and that his fits have been from one to ten days apart. To connect this in some way with his military service he stated that the doctor at a hospital said his epilepsy was caused "by jar to the head from heavy firing."

Six months after this alleged "jar" and his consequent epilepsy he reenlisted upon a medical certificate of perfect soundness and served more than two years thereafter.

Every conceded fact in the case negatives the allegations of his declaration, and the rejection of his claim necessarily followed.

If this disease can be caused in the manner here detailed, its manifestations are such as to leave no doubt of its existence, and it seems to me simply impossible under the circumstances detailed that there should be any lack of evidence to support the claim upon which this bill is predicated.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 2005, entitled "An act granting a pension to Mary J. Nottage."

The beneficiary named in this bill is the widow of Thomas Nottage, who enlisted in August, 1861, and was discharged for disability September 17, 1862. The assistant surgeon of his regiment, upon his discharge, certified the cause to be "disease of the urinary organs," which had troubled him several years.

He died of consumption January 8, 1879, nearly seventeen years after his discharge, without ever having made any application for a pension.

In 1880 his widow made an application for pension, alleging that he contracted in the service "malarial poisoning, causing remittent fever, piles, general debility, consumption, and death," and that he left two children, both born after his discharge, one in 1866 and the other in 1874.

The only medical testimony which has been brought to my attention touching his condition since his discharge is that of a single physician to the effect that he attended him from the year 1873 to the time of his death in 1879. He states that the patient had during that time "repeated attacks of remittent fever and irritability of the bladder, with organic deposits;" that "in the spring of 1878 he had sore throat and cough, which resulted in consumption, of which he died."

The claim of the widow was rejected in July, 1885, on the ground that "the soldier's death was not the result of his service."

I am satisfied that this conclusion of the Pension Bureau was correct

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I return herewith without approval Senate bill No. 342, entitled "*An* act granting a pension to Marrilla Parsons, of Detroit, Mich."

No claim has ever been made for a pension in this case to the Pension Bureau, probably for the reason that there is no pretext that the beneficiary named is entitled to a pension under any general law.

Daniel P. Parsons was her stepson, who enlisted in 1861 and died of consumption on the 13th day of August, 1864.

There are no special circumstances to distinguish this case from many others whose claims might be made by stepparents, and there are no facts stated in support of the conclusion embodied in the committee's report that the soldier was taken sick from exposure incident to the service.

To depart from all rules regulating the granting of pensions by such an enactment as is proposed would establish a precedent which could not fail to cause embarrassment and perplexity.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I return without approval Senate bill No. 1383, entitled "An act granting a pension to Harriet Welch."

The beneficiary named in this bill asks for a pension as the widow of Syreannous Welch, who was wounded in 1864 while in the service, and was pensioned therefor in 1867. In 1876 his rate of pension was increased. In 1877 he appears to have applied to have his pension again increased. It is alleged that upon such application he was directed to appear before an examining board or a surgeon at Green Bay, Wis., for examination, and in returning to his home from that place on the 7th day of September, 1877, he fell from the cars and was killed, his remains having been found on the track the next morning.

No one appears to have seen the accident, but it is claimed that he could not depend upon his wounded leg, and that it "gave way many times and caused him to fall." From this statement the inference seems to have been indulged that his death was attributable to the wound he had received thirteen years before.

The widow's claim based upon this state of facts was rejected by the Pension Bureau on the ground that the accident resulting in death was not the result of his military service, and on an appeal taken to the Secretary of the Interior from that determination the same was sustained.

Though this widow admits that prior to her marriage with the deceased soldier she had married another man whom she could only say she believed to be dead, I believe her case to be a pitiable one and wish that I could join in her relief; but, unfortunately, official duty can not always be well done when directed solely by sympathy and charity.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I return without approval Senate bill No. 1288, entitled "An act granting a pension to Robert Holsey."

This claimant enlisted in 1862, and though he appears to have been sick on two occasions during his term of service, he remained with his company until it was mustered out in 1865.

This soldier was really sick during the time he remained in the Army, and in this respect his claim for a pension has a better origin than many that are presented. But the fact must be recognized, I suppose, that every army ailment does not necessarily result in death or disability.

In 1882, seventeen years after his discharge, this soldier filed his declaration for a pension, alleging that in 1863 he contracted intermittent fever, affecting his lungs, kidneys, and stomach.

A board of surgeons, upon an examination made in 1882, find disease of kidneys, but no indication of lung and stomach trouble; and a medical referee reported in 1885 that there had been no disease of the stomach and lungs since the filing of the claim, and that the difficulty affecting the kidneys had no relation to the sickness for which the claimant had been treated while in the Army.

I am of the opinion that a correct conclusion was reached when the application for pension in this case was denied by the Pension Bureau.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 7979, entitled "An act granting a pension to Jackson Steward."

This claimant's application for pension is now pending in the Pension Bureau, and has been sent to a special examiner for the purpose of taking additional proof.

This I deem sufficient reason why the proposed bill should not now become a law.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 22, 1886.*

To the Senate:

I hereby return without approval Senate bill No. 2025, entitled "An act granting a pension to James Butler."

This claimant was enrolled as a private in a New Hampshire regiment August 23, 1864, but on the organization of his company, on the 12th day of September, 1864, he was discharged on account of a fracture of his leg, which happened on the 11th day of September, 1864.

It appears that before the organization of the company to which he was attached, and on the 10th day of September, he obtained permission to leave the place of rendezvous for the purpose of visiting his family, and was to return the next day. At a very early hour in the morning, either while preparing to return or actually on his way, he fell into a new cellar and broke his leg. It is said that the leg fractured is now shorter than the other.

His claim for pension was rejected in December, 1864, by the Pension Bureau, and its action was affirmed in 1871 upon the ground that the injury was received while the claimant was on an individual furlough, and therefore not in the line of duty.

Considering the fact that neither his regiment nor his company had at the time of his accident been organized, and that he was in no sense in the military service of the United States, and that his injury was received while on a visit, and not in the performance of duty, I can see no pretext for allowing a pension in this case.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 6688, entitled "An act for the relief of William Bishop."

This claimant was enrolled as a substitute on the 25th day of March, 1865. He was admitted to a post hospital at Indianapolis on the 3d day of April, 1865, with the measles; was removed to the City General Hospital, in Indianapolis, on the 5th day of May, 1865; was returned to duty May 8, 1865, and was mustered out with a detachment of unassigned men on the 11th day of May, 1865.

This is the military record of this soldier, who remained in the Army one month and seventeen days, having entered it as a substitute at a time when high bounties were paid.

Fifteen years after this brilliant service and this terrific encounter with the measles, and on the 28th day of June, 1880, the claimant discovered that his attack of the measles had some relation to his army enrollment and that this disease had "settled in his eyes, also affecting his spinal column."

This claim was rejected by the Pension Bureau, and I have no doubt of the correctness of its determination.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I herewith return without approval House bill No. 6266, entitled "An act granting a pension to Philip Arner."

It is conceded in the application for a pension made by this claimant that he was perfectly well prior to his enlistment, during his service, and for a year thereafter. He was discharged in July, 1864, and the proof is that he was taken seriously ill in the fall of 1865, since which time he has been troubled with lung difficulty.

He filed his application for pension in 1883. This was rejected on the ground that the sickness which produced his disability having occurred more than a year after his discharge from the Army, it can not be accepted as a result of his military service.

There is absolutely no allegation of any incident of his service which it is claimed is at all related to his sickness and disability.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I herewith return without approval House bill No. 6170, entitled "An act granting a pension to Mary A. Van Etten."

In her declaration for a pension, filed July 28, 1885, this claimant alleges that her husband was drowned upon attempting to cross Braddocks Bay, near his residence, in the State of New York, on the 16th day of July. 1875.

It is claimed that in an effort to drive across that bay in a buggy with his young son the buggy was overturned and both were drowned. The application for pension was based upon the theory that during his military service the deceased soldier contracted rheumatism, which so interfered with his ability to save himself by swimming that his death may be fairly traced to a disability incurred in the service.

He does not appear to have been treated while in the Army for rheumatism, though some evidence is presented of his complaining of rheumatic symptoms.

He was mustered out in 1863, and though he lived twelve years thereafter it does not appear that he ever applied for a pension; and though he was drowned in 1875, his widow apparently did not connect his military service with his death until ten years thereafter.

It seems to me that there is such an entire absence of direct and tangible evidence that the death of this soldier resulted from any incident of his service that the granting of a pension upon such a theory is not justified.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 6117, entitled "An act granting a pension to James D. Cotton."

The claim for a pension in this case is on behalf of the father of Thomas Cotton, who was killed at Pittsburg Landing April 6, 1862.

The application of this claimant still remains in the Pension Bureau undetermined. The doubt in the case appears to relate to the dependence of the father upon his son at the time of his death.

This is a question which the Bureau is so well fitted to investigate and justly determine that it is, in my opinion, best to permit the same to be there fully examined.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 6753, entitled "An act granting a pension to Mrs. Alice E. Travers."

The husband of the beneficiary, John T. Travers, enlisted August 25, 1864, and was discharged June 11, 1866.

He died January 6, 1881, from the effects of an overdose of morphine which he administered himself. He was a druggist, and when suffering severely was in the habit of taking opiates for relief and sleep.

The disease from which it is said he suffered was lung difficulty, claimed to have been caused by a severe cold contracted in the service.

It does not appear that he ever applied for a pension, and the widow's claim seems to have been properly rejected by the Pension Bureau on the ground that the soldier's death was not due to his military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 1816, entitled "An act granting a pension to Mary Ann Miller."

Hamilton Miller, the husband of the claimant, enlisted April 22, 1861, and was sent with his regiment to Camp Dennison, in the suburbs of Cincinnati.

While thus in camp, apparently before he had ever been to the front, and on the 3d of June, 1861, he obtained permission to go to the city of Cincinnati, and was there killed by a blow received from some person who appears to be unknown; but undoubtedly the injury occurred in a fight or as the result of an altercation.

It is very clear to me that the Pension Bureau properly rejected the widow's claim for pension, for the reason that the soldier was not in the line of duty at the date of his death. It is also impossible to connect the death with any incident of the soldier's military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 7436, entitled "An act to grant a pension to Mary Anderson."

This claimant is the widow of Richard Anderson, who at the time of his death was receiving a pension on account of chronic diarrhea contracted in the service.

On the 7th day of February, 1882, the deceased pensioner went to Sparta, in the State of Wisconsin, to be examined for an increase of his pension. He called on the surgeon and was examined, and the next morning was found beheaded on the railroad track under such circumstances as indicated suicide.

The claim of the widow was rejected by the Pension Bureau on the ground that the cause of the death of her husband was in no way connected with his military service.

His wife and family present pitiable objects for sympathy, but I am unable to see how they have any claim to a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill 576, entitled "An act for the relief of Louisa C. Beezeley."

By this bill it is proposed to grant a pension to the beneficiary named, as the widow of Nathaniel Beezeley, who was enrolled in an Indiana regiment as a farrier in September, 1861. He was discharged July 17, 1862, after having been in the hospital considerable of the short time he was connected with the Army. The surgeon's certificate on his discharge stated that it was granted by reason of "old age," he then being 60 years old.

He never made any claim for pension, but in 1877 his widow filed her declaration, stating that her husband died in 1875 from disease contracted in the service.

I am convinced that the Pension Bureau acted upon entirely satisfactory evidence when this claim was rejected upon the ground that the cause of death originated subsequent to the soldier's discharge.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 6895, entitled "An act granting a pension to Sarah Harbaugh."

The husband of this claimant enlisted August 1, 1861, and was discharged September 7, 1864. He received a gunshot wound in the left ankle in May, 1863, and died suddenly of disease of the heart October 4, 1881. He was insane before his death, but in my opinion any connection between his injury and his service in the Army is next to impossible.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 7167, entitled "An act for the relief of Mrs. Maria Hunter."

The beneficiary named in this bill, to whom it is therein proposed to grant a pension at the rate of $50 a month, on the 23d day of March, 1886, filed her application for a pension in the Pension Bureau, where it is still pending undetermined.

Although the deceased soldier held a high rank, I have no doubt his widow will receive ample justice through the instrumentality organized for the purpose of dispensing the nation's grateful acknowledgment of military service in its defense.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 3205, entitled "An act granting a pension to George W. Guyse."

The claimant filed his declaration for a pension in 1878, alleging that about the 25th day of December, 1863, he received a gunshot wound in his left knee while engaged in a skirmish.

There has been much testimony taken in this case, and a great deal of it is exceedingly contradictory. Three of the claimant's comrades, who originally testified to the receipt of the injury by him, afterwards denied that he was wounded in the service, and a portion of the evidence taken by the Bureau tends to establish the fact that the claimant cut his left knee with a knife shortly after his discharge.

An examining surgeon in November, 1884, reports that he finds "no indication of a gunshot wound, there being no physical or rational signs to sustain claimant in his application for pension."

He further reports that there "seems to be an imperfect scar near the knee, so imperfect as to render its origin uncertain, but in no respect resembling a gunshot wound."

I think upon all the facts presented the Pension Bureau properly rejected this claim, because there was no record of the injury and no satisfactory evidence produced showing that it was incurred in service and in line of duty, "all sources of information having been exhausted."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return without approval House bill No. 7401, entitled "An act granting a pension to Samuel Miller."

This man was discharged from one enlistment June 16, 1864, and enlisted again in August of that year. He was finally discharged July 1, 1865.

In 1880 he filed an application for a pension, alleging that in May, 1862, he contracted in the service "kidney disease and weakness of the back."

A board of surgeons in 1881 reported that they failed to "discover any evidence of disease of kidneys."

It will be observed that since the date when it is claimed his disabilities visited him Mr. Miller not only served out his first term of enlistment, but reenlisted, and necessarily must have passed a medical examination.

I am entirely satisfied with the rejection of this claim by the Pension Bureau.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 424, entitled "An act to pension Giles C. Hawley."

This claimant enlisted August 5, 1861, and was discharged November 14, 1861, upon a surgeon's certificate, in which he stated: "I deem him unfit to stay in the service on account of deafness. He can not hear an ordinary command."

Seventeen years after his discharge from a military service of a little more than three months' duration, and in the year 1878, the claimant filed an application for pension, in which he alleged that "from exposure and excessive duty in the service his hearing was seriously affected."

There is no doubt that his disability existed to quite an extent at least before his enlistment, and there was plenty of opportunity for its increase between the time of discharge and of his application for pension.

I am entirely satisfied that it should not be altogether charged to the three months he spent in the service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 7222, entitled "An act granting a pension to Callie West."

I base my action upon the opinion, derived from an examination of the circumstances attending the death of the claimant's husband, that his fatal disease did not have its origin in his military service and was entirely disconnected therewith.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return without approval House bill No. 6257, entitled "An act for the relief of Julia Connelly."

It is proposed by this bill to grant a pension to the beneficiary named as the widow of Thomas Connelly.

This man was mustered into the service October 26, 1861. He never did a day's service so far as his name appears, and the muster-out roll of his company reports him as having deserted at Camp Cameron, Pa., November 14, 1861.

He visited his family about the 1st day of December, 1861, and was found December 30, 1861, drowned in a canal about 6 miles from his home.

Those who prosecute claims for pensions have grown very bold when cases of this description are presented for consideration.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I herewith return without approval House bill No. 6774, entitled "An act granting a pension to Bruno Schultz."

The application of this claimant for a pension, which was filed a number of years ago, though at one time rejected, has been since opened for reexamination, and is now awaiting additional evidence.

In this condition of this case I think this bill should not be approved.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 7298, entitled "An act for the relief of Charles Schuler."

It is proposed by this bill to grant a pension to the person above named, who was discharged from the military service in December, 1864. He filed a declaration for a pension in the Pension Bureau in January, 1883. This application is still pending. Without referring to the merits of the case, I am of the opinion that the matter should be determined by the Bureau to which it has properly been presented before special legislation should be invoked.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return herewith without approval House bill No. 7073, entitled "An act granting a pension to Mary S. Woodson."

Henry Woodson, the husband of the beneficiary named, enlisted in September, 1861, and was discharged in October, 1863, on account of valvular disease of the heart.

The application for pension on behalf of his widow was filed August 5, 1881.

She concedes that she is unable to furnish any evidence of the date or the cause of her husband's death.

It appears that he left home in March, 1874, for the purpose of finding work, and neither she nor her friends have ever heard from him since. His death may naturally be presumed, and the condition of his family is such that it would be a positive gratification to aid them in the manner proposed; but the entire and conceded absence of any presumption, however weak, that he died from any cause connected with his military service seems to render it improper to place the widow's name upon the pension rolls.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886*.

To the House of Representatives:

I return without approval House bill No. 7108, entitled "An act granting a pension to Andrew J. Wilson."

It appears that this man was drafted and entered the service in February, 1865, and was discharged in September of the same year on account of "chronic nephritis and deafness."

In 1882 he filed his application for a pension, alleging that in June, 1865, from exposure, he contracted rheumatism. Afterwards he described his trouble as inflammation of the muscles of the back, with pain in the kidneys. In another statement, filed in December, 1884, he alleges that while in the service he contracted diarrhea and was injured in one of his testicles, producing a rupture.

Whatever else may be said of this claimant's achievements during his short military career, it must be conceded that he accumulated a great deal of disability.

There is no doubt in my mind that whatever ailments he may honestly lay claim to, his title to the same was complete before he entered the Army.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886*.

To the House of Representatives:

I return herewith without approval House bill No. 7703, entitled "An act granting a pension to Anna A. Probert."

The husband of this beneficiary was pensioned in 1864. He was a druggist and apothecary at Norwalk, in the State of Ohio. Shortly before his death, in 1878, he went to Memphis for the purpose of giving his professional assistance to those suffering from yellow fever at that place. He was himself attacked by that disease, and died on the 28th day of October, 1878.

His widow has never herself applied for a pension, but a power of attorney has been filed, authorizing the prosecution of her claim by another.

That she has employed an ingenious attorney or agent is demonstrated by the fact that the bill now before me seems to be based upon the theory that Mr. Probert might have recovered from his attack of yellow fever if he had been free from the ailments for which he had been pensioned fourteen years before.

If such speculations and presumptions as this are to be indulged, we shall find ourselves surrounded and hedged in by the rule that all men entering an army were free from disease or the liability to disease before their enlistment, and every infirmity which is visited upon them thereafter is the consequence of army service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I return without approval House bill No. 7162, entitled "An act granting a pension to Martha McIlwain."

R. J. McIlwain, the husband of the claimant, enlisted in 1861, and was discharged in 1862 because of the loss of his right leg by a gunshot wound. He was pensioned for this disability. He died May 15, 1883, from an overdose of morphia. It is claimed by the widow that her husband was in the habit of taking morphia to alleviate the pain he endured from his stump, and that he accidentally took too much.

The case was investigated by a special examiner upon the widow's application for pension, and his report shows that the deceased had been in the habit of taking morphia and knew how to use it; that he had been in the habit of buying 6 grains at a time, and that his death was caused by his taking one entire purchase of 6 grains while under the influence of liquor.

In any event it is quite clear that the taking of morphia in any quantity was not the natural result of military service or injury received therein.

I concur in the judgment of the Pension Bureau, which rejected the widow's claim for pension on the ground that "the death of the soldier was not due to his military service."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 7931, entitled "An act increasing the pension of Clark Boon."

This claimant filed his declaration for pension February 3, 1874, in which he states that he lost his health while a prisoner at Tyler, Tex.

On the 19th day of October, 1874, he filed an affidavit claiming that he contracted diseases of the heart and head while in the service. In a further application, filed January 16, 1878, he abandoned his allegations as to disease, and asks for a pension on account of a gunshot wound in the left ankle. Medical testimony was produced on his behalf tending to show not only a gunshot wound, but a disease of the eyes.

A small pension was at last granted him upon the theory advanced by a board of surgeons in 1880 that it was "possible that applicant was entitled to a small rating for weakness of ankle."

A declaration was filed June 4, 1885, by which this claimant insists upon an increase of pension on account of the wound and also for disease of eyes and rheumatism.

I am entirely satisfied that all has been done in this case that the most liberal treatment demands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 23, 1886.*

To the House of Representatives:

I hereby return without approval House bill No. 7257, entitled "An act granting a pension to James H. Darling."

This man enlisted in November, 1861, and was reported as having deserted March 5, 1862. The charge of desertion was, however, removed, and it is stated that he went to his home in Ohio at the date stated, by proper authority, where he remained sick till December, 1862, when he was discharged for disability caused "by a disease of the kidneys known as Bright's disease," from which, the physician making the certificate thought, "there was no reasonable prospect of his recovery."

The claimant filed his application for pension, alleging that in January, 1862, he contracted rheumatism.

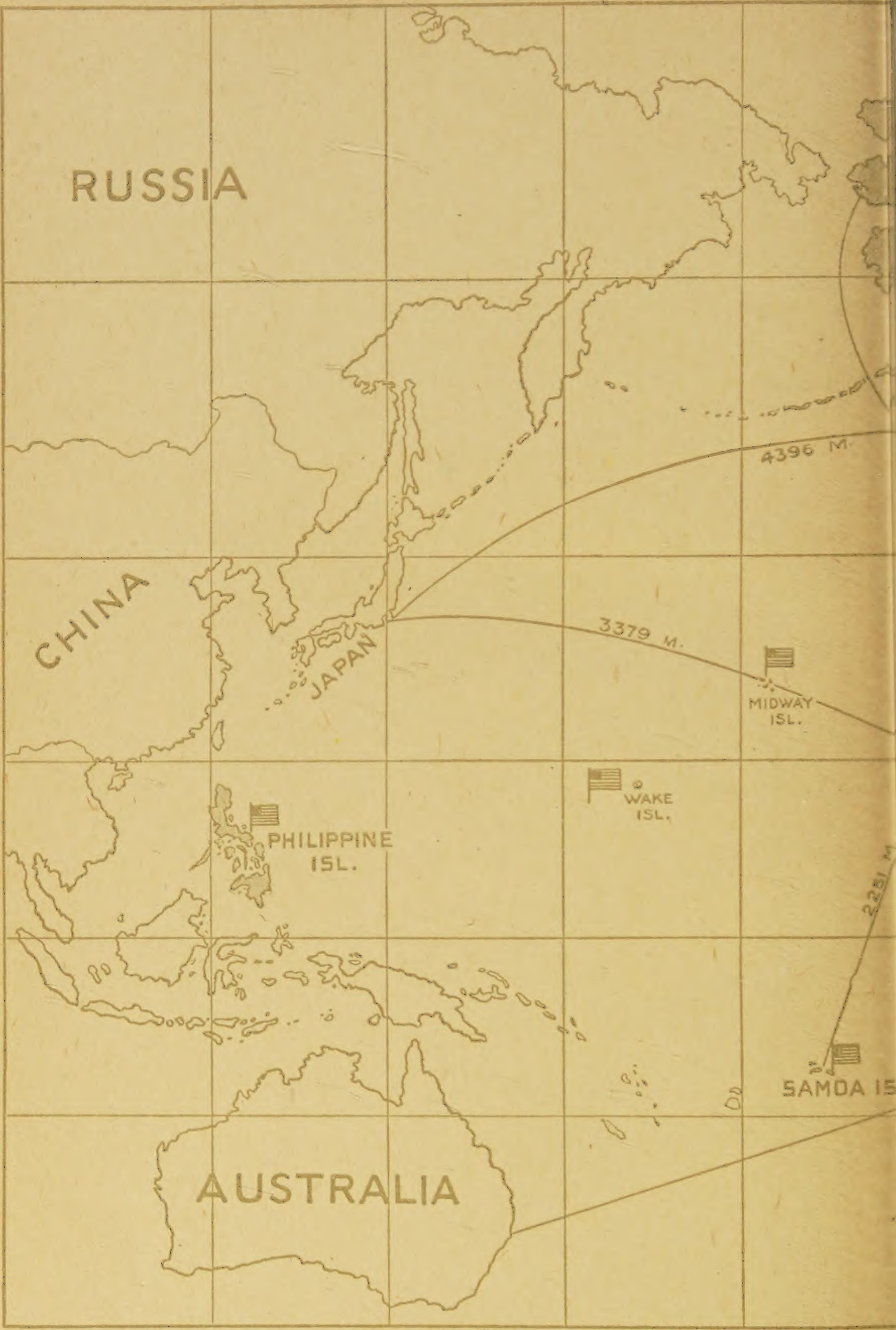
The claim was investigated by a special examiner and rejected on the ground that the evidence produced failed to show the alleged disability was contracted in the service and in the line of duty.

A medical examination made in 1877 showed that the claimant was "a well-nourished man, 65 years old; height, 5 feet 8 inches; weight, 165 pounds." No disability was discovered, "but a general stiffness of joints, especially of legs, which he says is much aggravated in stormy, cold weather."

Another examination in 1882 found this victim of war disability with "the appearance of a hale, hearty old man—no disease that was discoverable by examination (without chemical test), except some lameness from rheumatism." His weight upon this examination is stated to be 186 pounds.

It is evident to me that this man ought not to be pensioned.

GROVER CLEVELAND.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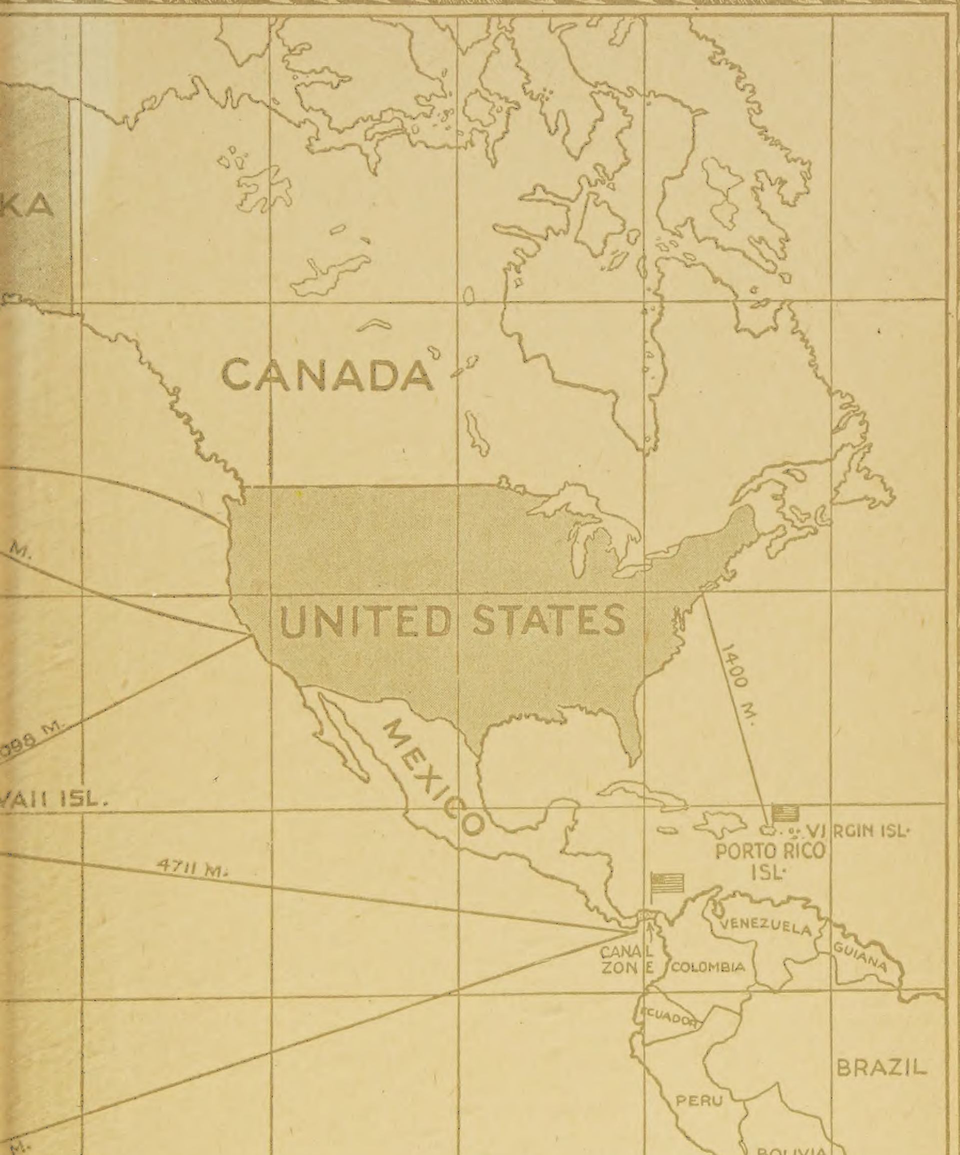
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